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AUTHOR Snyder, Vivian C.; Huttula, Janet D.
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ABSTRACT

This handbook provides answers to questions that state department program access coordinators most frequently ask when involved in evaluating for accessibility for handicapped persons and when developing changes to ensure that departmental programs and activities are equally effective and accessible to persons with disabilities. The handbook covers 12 areas: program accessibility, program access coordinator, program access advisory committee, state employment policies and practices, reasonable accommodations, state service policies and practices, service recipient accommodations, architectural access, grievance procedures on complaints of discrimination based on handicapping conditions, assurance of compliance, funding sources for program access, and legal mandates on program access. Each of these areas is covered in the guide in the following format: definition of the area, discussion of the role of the program access coordinator, and information sheets presented in question-and-answer style in most sections. Information sheets provide essential principles, share exemplary methods, state legal requirements, and list technical assistance resources. (The document contains an extensive list of funding sources such as foundations, government agencies, associations, and private businesses.) (KC)

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MANAGEMENT AND RESOURCES HANDBOOK ON PROGRAM ACCESSIBILITY

Prepared by:

California Institute on Human Services
Tony Apolloni, Director
Sonoma State University
Rohnert Park, CA 94928
(707) 664-2416 (Voice)
(707) 664-2598 (TDD)

Vivian C. Snyder, Project Manager and Co-Author

Prepared for:

State of California
Office of Statewide Compliance Coordination
Michael E. Vader, Director
915 Capitol Mall, Suite 235
Sacramento, CA 95814
(916) 323-6975 (Voice/TDD)

Janet D. Huttula, Project Manager and Co-Author

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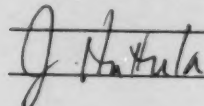
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Preface

The Management and Resources Handbook on Program Accessibility was prepared for the Office of Statewide Compliance Coordination by the California Institute on Human Services, Sonoma State University. The Handbook provides answers to questions which state department Program Access Coordinators most frequently ask when involved in evaluating for accessibility and when developing changes to assure departmental programs and activities are equally effective and accessible to persons with disabilities.

The Handbook covers twelve areas and provides information on essential principles, shares exemplary methods, states legal requirements, and lists technical assistance resources. The Handbook was designed to address only the accessibility requirements for applicants and candidates for state employment and state employees; applicants and candidates for, and recipients of, state department services; and, contractors, grantees, or local agencies that receive payment from a state department for services rendered to the department. However, some of the areas covered within the Handbook may be applicable to other entities that receive state financial assistance.

The Office of Statewide Compliance Coordination and the California Institute on Human Services, Sonoma State University, wish to express appreciation to the many people who provided valuable information and advise during the preparation of this Handbook.

Staff from many California state departments contributed insights, clarifications, and explanations on the interpretation of regulations, policies, and the functions and responsibilities of their departments. We hope this Handbook meets their expectations for accurate information, usefulness, and understanding of the issues concerning nondiscriminatory access to state department programs and activities.

We especially thank the following individuals who provided information relevant to specific sections of this publication:

Architectural Access Regulations

Edward Chandler, Architectural Association - Interpretations, Handicapped Law Compliance Section, Office of the State Architect, Department of General Services

Architectural Access Policies and Practices

Robert Wible, Project Director, National Conference of States on Building Codes and Standards

Merit System for Employment Policies and Practices

David J. Tirapelle, Labor Relations Liaison, State Personnel Board

Civil Rights Statutes - Department of Fair Employment and Housing

Chuck Kassis, Special Projects Assistant, Office of Public Information and Education, Department of Fair Employment and Housing

Service Policies and Procedures

William Wilder, Undersecretary, State Health and Welfare Agency

Grievance Procedures

Hal Teasdale, Deputy Attorney General, Attorney General's Office, San Francisco, California

Divisions and Functions of Department of Industrial Relations

Richard Stephens, Public Information Officer, Department of Industrial Relations, San Francisco, California

Special appreciation is extended to Karen Stevens for extensive effort in developing the section on Legal Mandates and to Sam Spaeth for developing the section on funding.

We offer sincere thanks to Harry M. Snyder, Director, West Coast Branch of Consumers Union of the United States, for contributing staff time and resources for researching and compiling the section on Legal Mandates.

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PROGRAM ACCESSIBILITY

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PROGRAM ACCESSIBILITY

Definition

Program accessibility is the term that summarizes the concept of a system which, when viewed in its entirety, assures qualified people with disabilities the opportunity to participate in, and receive the benefits of, programs and activities in a manner which, is equal to, and as effective as, that afforded to other qualified people.

Role of Program Access Coordinator

Be aware and knowledgeable of state and federal laws, regulations, and policies mandating equal opportunity, fair treatment, and nondiscrimination for people with handicaps.

Direct an evaluation of the department's policies and practices to determine accessibility of programs and activities.

Direct the completion of a plan to achieve equally effective and accessible programs and activities for applicants and candidates for employment and employees; applicants and candidates for, and recipients of, services; and contractors, grantees, or local agencies that receive payment from a state department to render services directly to the department.

May direct implementation of the plan.

QUESTIONS

- 1. What regulations and policies require program accessibility?
- For explanations and information on state and federal laws which mandate nondiscriminatory program accessibility, see the Legal Mandates Section of this Handbook.

The following are the most significant regulations and policies:

<u>Agency</u>	<u>Regulations</u>	<u>Federal Register Location</u> <u>Vol #/Pg #/Date Pub.</u>
*ACTION		44 FR 31018 (1979)
*Agency for International Development		45 FR 66414 (1980)
*Civil Aeronautics Board		47 FR 25936 (1982)
*Department of Agriculture		44 FR 4620 (1979)
*Department of Commerce		43 FR 53765 (1978)
*Department of Defense		47 FR 15127 (1982)
*Department of Education		45 FR 30936 (1980)
*Department of Energy		45 FR 40514 (1980)
*Department of Health and Human Services		42 FR 22676 (1977)
Department of Housing and Urban Development		43 FR 16652 (1978)
Department of Interior		45 FR 24074 (1980)
*Department of Justice		45 FR 37620 (1980)
*Department of Labor		45 FR 66706 (1980)
*Department of State		45 FR 69437 (1980)
*Department of Transportation		44 FR 31442 (1979)
*Department of Treasury (Revenue Sharing)		44 FR 77356 (1980)
Environmental Protection Agency		46 FR 11662 (1981)
Equal Employment Opportunity Commission		44 FR 68482 (1979)
*General Services Administration		44 FR 62298 (1979)
Interstate Commerce Commission		43 FR 25152 (1978)
*Legal Services Corporation		44 FR 55175 (1979)
*National Aeronautics and Space Administration		44 FR 52680 (1979)
*National Endowment for the Arts and Humanities		44 FR 22730 (1979)
National Science Foundation		43 FR 16518 (1978)
*Nuclear Regulatory Commission		45 FR 14533 (1980)
*Small Business Administration		44 FR 20067 (1979)
*Tennessee Valley Authority		45 FR 22893 (1980)
*Veteran's Administration		45 FR 63264 (1980)

* Indicates federal departments having regulations established as of June 30, 1982. An approximate total of 167 federal departments may establish such regulations.

Policy

Guidelines on Program Accessibility for Persons with Disabilities, Office of Statewide Compliance Coordination, Sacramento, California, November, 1981.

The publication establishes criteria and provides direction to state departments in complying with state and federal laws concerning the accessibility of state programs and activities for persons with disabilities.

- 2. When is program accessibility achieved?
- Program accessibility is achieved when a system is in place which assures that:

The department's policies do not contain language which discriminates against applicants and/or candidates for services or employment, employees, or recipients of services based solely on disability;

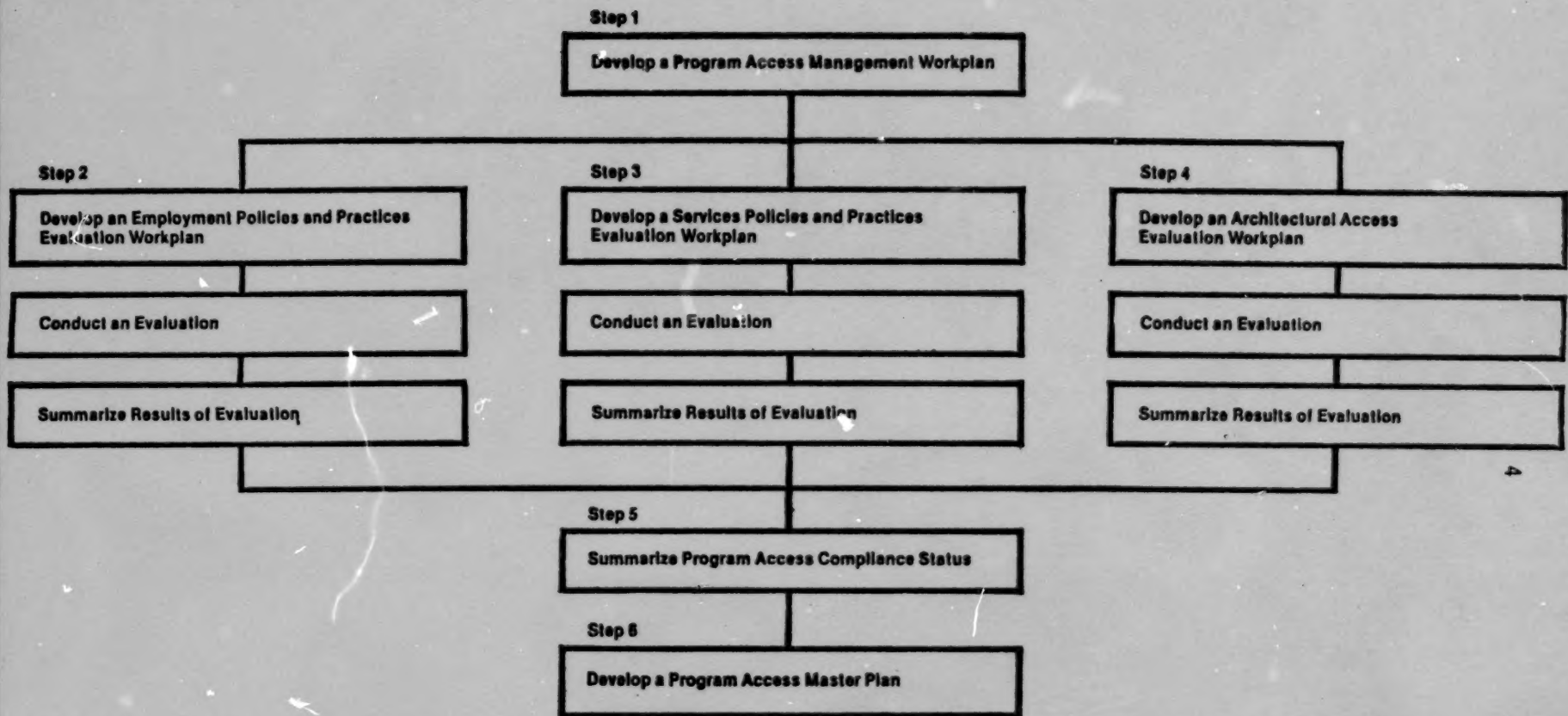
The department's practices are nondiscriminatory and fair to all persons including those with disabilities;

Qualified people with disabilities are able to participate in the full range of the department's programs and activities.

- 3. What process and major tasks are involved in evaluating a department's policies and practices and in preparing a plan to achieve program accessibility?

- The process and major tasks for evaluating a department's policies and practices and for preparing a plan to achieve program accessibility are outlined in the following charts.

PROCESS OVERVIEW



Note: Steps 2, 3 and 4 may be performed in sequence or concurrently depending on staff resources and the structure established to perform these evaluations.

MAJOR TASKS

Step 1

Develop a Program Access Management Workplan

Identify administrative staff and staff liaison needs

Identify and collect project planning information

Establish PAAC and orient on roles and responsibilities

Identify an order of evaluations

Secure review and approval of plan

Advise/orient staff on roles and responsibilities

Step 2

Develop an Employment Policies and Practices Evaluation Workplan

Identify department program elements that administer the department personnel management system

Identify the personnel activities conducted by the department

Identify personnel documents

Identify an order of evaluation

Identify resources available to make the needed evaluation

Identify evaluation staff

Secure review and approval of plan

Finalize plan

Advise/orient evaluation staff on roles and responsibilities

Conduct an Evaluation

Compare current employment policies and practices with existing laws, rules and policies

Identify deficiencies

Identify alternative to address deficiencies

Summarize Results of Evaluation

Determine most appropriate alternatives to address any deficiencies

Determine approximate time, cost, and appropriate staff

Step 3

Develop a Services Policies and Practices Evaluation Workplan

Identify department program elements that administer services to recipients

Identify the specific service activities conducted by the department

Identify service documents

Identify an order of evaluation

Identify resources available to make the needed evaluation

Identify evaluation staff

Secure review and approval of plan

Finalize plan

Advise/orient evaluation staff on roles and responsibilities

Conduct an Evaluation

Compare current service policies and practices with existing laws, rules and policies

Identify deficiencies

Identify alternatives to address any deficiencies

Summarize Results of Evaluation

Determine most appropriate alternative to address any deficiencies

Determine approximate time, cost, and appropriate staff

MAJOR TASKS (Continued)

Step 4

Develop an Architectural Access Evaluation Workplan

Identify department facilities that are to be assessed

Identify the department's facility-leasing activities and responsibilities

Identify an order of evaluation

Identify resources available to make needed evaluations

Identify evaluation staff

Secure review and approval of plan

Finalize plan

Advise/orient evaluation staff on roles and responsibilities

Conduct an Evaluation

Compare current architectural accessibility of facilities to laws, rules and policies

Identify deficiencies

Identify alternatives to address deficiencies

Summarize Results of Evaluation

Determine most appropriate alternatives to address any deficiencies

Determine approximate time, cost, and appropriate staff needed to achieve individual modifications

Determine essential and necessary actions

Step 5

Summarize Program Access Compliance Status

Identify by role staff who performed Steps 1-4

Identify by role staff who are performing steps

By program element, summarize information from Forms 4, 7 and 10

Identify alternatives to bring the department into and achieve full compliance status

Identify order and priority for bringing the department into full compliance

Identify time, costs and probable staff needed to ensure individualized program elements become accessible

Identify any needed funding sources and the processes for requesting funding

Identify by role staff who will work on Program Access Master Plan

Secure review and approval of findings

Finalize summary

Advise/orient program access evaluation staff on roles and responsibilities

Step 6

Develop a Program Access Master Plan

Design format of Program Access Master Plan

Prepare Program Access Master Plan

Design a system to monitor compliance activities and to introduce any needed modification

Secure review and approval of plan

Finalize plan

Have adequate copies available for public review

For examples of methods by which a Program Access Coordinator can effectively direct and coordinate the department's efforts to achieve program accessibility, see Question #2 of the Program Access Coordinator Section of this Handbook.

●4. If a department has evaluated its employment, services, and/or architectural policies and practices, is it necessary to do another evaluation?

● It may be necessary to perform another survey if:

All areas under federal and state laws and policies on program accessibility, nondiscrimination, and fair treatment of persons with disabilities were not evaluated.

No consideration was given to the inter-relationship of these three components to program accessibility;

Laws and policies governing these areas and those on program accessibility have changed.

The following sections of the Handbook provide information on evaluating program accessibility in specific areas:

Employment Policies and Practices

Service Policies and Practices

Architectural Access Policies and Practices

●5. What is the recommended time frame to complete the department's evaluation of, and plan for, program accessibility?

● Depending on the size of the department, the evaluation and plan should be completed in from three months to one year.

The time frame for implementation of the plan will vary based upon the size of the department, size of the plan, and type of areas that need to be addressed.

● 6. What are some examples of cost-effective modifications which can assist a department to provide access to programs and activities?

- Equipment rearrangement, redesign, or modification;
- Provision of assistive devices/auxiliary aids;
- Provision of services outside the facility, e.g., mobile delivery systems, home visits;
- Provision of support services assistants;
- Alterations to existing facilities.

● 7. What resources are available to provide information on program accessibility?

- Program Access Master Planning Guide, Office of Statewide Compliance Coordination, Sacramento, California, 1983.

Index of Federal Regulations and Court Cases on the Implementation of Section 504 of the Rehabilitation Act of 1973, Office of Statewide Compliance Coordination, Sacramento, California, 1981.

Definitions of Key Terms and Phrases Used in Federal Regulations Relating to Section 504 of the Federal Rehabilitation Act of 1973, Office of Statewide Compliance Coordination, Sacramento, California, 1982.

Program Accessibility Training for Trainers Manual, Office of Statewide Compliance Coordination, Sacramento, California, 1983 (Second Edition).

Statewide Guidelines on Program Accessibility for Persons with Disabilities, Office of Statewide Compliance Coordination, Sacramento, California, 1981.

Federal Rule Making Chronicle on Title V of the Federal Rehabilitation Act of 1973, Office of Statewide Compliance Coordination, Sacramento, California, 1983.

PROGRAM ACCESS COORDINATOR

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PROGRAM ACCESS COORDINATOR

Definition

A Program Access Coordinator (PAC) is a department staff member who has management level responsibilities for providing leadership and direction to assure that the department achieves compliance with state and federal mandates relating to nondiscriminatory, fair and equal access to departmental programs and activities by persons with disabilities.

Role of Program Access Coordinator

Be aware of laws and policies relating to the provision of access to state programs and activities for people with disabilities.

Direct an evaluation of the department's policies and practices and prepare a plan for the department to achieve full program accessibility.

May direct or assist in the implementation of the department's plan.

May initiate and/or assist in the formulation of departmental policies and practices that will facilitate compliance efforts.

May serve as liaison between state and federal entities that facilitate and regulate compliance activities.

May serve as consultant to the department staff on effecting access to department programs and activities.

May serve as consultant to department employees, administrative staff, and organizations and groups that represent the needs and concerns of disabled people.

QUESTIONS

- 1. Who should serve as a Program Access Coordinator (PAC)?

- A state department staff member who has demonstrated the ability to manage complex projects which require analyzing, planning, organizing, utilizing resources, and directing activities.

The PAC should have knowledge of laws, regulations, and policies concerned with nondiscrimination in the provision of employment and service programs and activities and architectural accessibility for persons with disabilities. In addition, the PAC should have experience and sensitivity to employment and service issues affecting disabled people from various cultural, ethnic, and economic groups.

- 2. What are some methods by which a Program Access Coordinator can effectively direct and coordinate the department's efforts to achieve program accessibility?

- Variations in staff resources and management styles of PACs may influence the methodology used to evaluate the department's status, prepare a plan, and effect compliance. The following represent a variety of methods that may be used:

- a. PAC directs activities of department staff that performs all tasks, obtains advice from a Program Access Advisory Committee (PAAC) on efficient and cost-effective modifications to achieve program accessibility, and obtains approval on major actions and the Program Access Master Plan (PAMP) from the department's Executive Officer and/or Executive Staff and other state departments having related approval responsibilities.
- b. PAC directs the activities of non-departmental staff who perform major tasks. These could be consultants from outside state service with expertise in program accessibility. PAC obtains the advice and coordinates the input of PAAC with the non-departmental staff and obtains approval on major actions and the PAMP from the department's Executive Officer and/or Executive Staff and other state departments having related approval responsibilities.

- c. PAC directs the activities of a PAAC which performs the major tasks and offers advice on efficient and cost-effective modifications to achieve program accessibility. PAC obtains approval on major actions of the PAAC and on the PAMP from the Executive Officer and/or Executive Staff, and obtains approval on specific project items from state departments having related approval responsibilities.
- d. PAC performs all tasks, obtains advice of a PAAC on how to conduct evaluations and on efficient and cost-effective modifications to achieve program accessibility, obtains approval on major actions and on the PAMP from Executive Officer and/or Executive Staff and other state departments having related approval responsibilities.

●3. Within the department, who can provide assistance to the Program Access Coordinator?

- The following may be of assistance to the PAC. This is not an all-inclusive list. Depending upon the department size, organization, and function other persons may provide invaluable expertise:

Administrative Services Office
 Personnel Office
 Fiscal/Budget Office
 Affirmative Action Office
 Disabled Advisory Committee
 Space Management Office/Business Services Office
 Training Office
 Executive Officer

●4. What state departments can provide the most significant assistance to the Program Access Coordinator in achieving program accessibility?

- The Office of Statewide Compliance Coordination can provide technical assistance information on the various tools and methods available to evaluate and facilitate compliance with federal and state legislation relating to nondiscriminatory programs and activities. This office reviews PAMP and directs, monitors, and reports to the Governor and Legislature on the efforts of state departments.

For information on other state departments which provide resources relevant to specific areas of program accessibility, see the following sections of this Handbook: State Employment Policies and Practices; State Service Policies and Practices; Service Recipient Accommodation, and Architectural Accessibility.



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PROGRAM ACCESS ADVISORY COMMITTEE

Definition

A department's Program Access Advisory Committee (PAAC) is a group of interested persons organized to advise and assist in identifying cost-effective and efficient methods and alternatives available to bring the department into full compliance status. The PAAC may assist in the evaluation of the department's compliance status and the preparation and effective implementation of a program access plan.

Role of Program Access Coordinator

May recruit applicants, review applications, and confirm and/or appoint members to the PAAC.

May provide leadership and direction for the committee.

May serve as liaison between PAAC and department's administration and staff.

QUESTIONS

● 1. What is the role of the Program Access Advisory Committee?

● The PAAC:

Provides recommendations on the activities involved in evaluating and preparing a department's plan on achieving access to programs and activities;

Provides technical assistance and advice on specific issues concerning the evaluation and provision of access to a department's programs and activities.

● 2. Who should be included as members of the Program Access Advisory Committee?

● The PAAC should include persons with disabilities. Members should include representatives both from within and without the department. For example:

a. Department staff members

Administrative Services/Business Services Officer
Affirmative Action Officer
Disabled Advisory Committee Members
Personnel Officer
Space Management Officer
Fiscal Officer
Equal Opportunity Officer
Grievance Counselor

b. Individuals from outside the department

Service recipients including:

Representatives of the geographic areas in which department services are delivered;

People from a variety of cultural, ethnic, and economic backgrounds.

Representatives from organizations that:

Are knowledgeable about the needs, issues, and concerns of people with disabilities;

Are knowledgeable about the legal mandates regarding nondiscrimination, fair treatment, and equal opportunity for people with disabilities in the areas of employment, service provision, and architectural access.

●3. What collective knowledge and expertise should be included in the membership of the Program Access Advisory Committee?

● Knowledge of the broad range of disabilities

Knowledge of cost-effective methods and resources for accommodating the special needs of persons with disabilities;

Knowledge of state and federal laws, rules, and policies pertaining to equal opportunity and nondiscrimination;

Knowledge of state laws, rules, and policies on employment administration and provision of services;

Knowledge of federal and state architectural standards and requirements;

Knowledge of, and sensitivity to, employment and service issues affecting disabled persons from various cultural, ethnic, and economic backgrounds.

●4. What are some methods by which a Program Access Advisory Committee can assist a department's efforts to achieve program accessibility?

● Variations in staff resources and management styles of Program Access Coordinators (PACs) may influence the methodology used to evaluate the department's status, prepare a plan, and effect compliance. The following represents a variety of methods that may be used:

- a. The PAAC provides technical assistance and advice to the department staff that performs major tasks under the direction of the PAC.

- b. The PAAC provides advice on efficient and cost-effective modifications to achieve program accessibility to the PAC who directs the activities of non-departmental staff that perform the major tasks of the project.
- c. The PAAC performs major tasks under the direction of the PAC.
- d. The PAAC provides recommendations on activities involved in conducting the evaluation and types of modifications to achieve program accessibility to the PAC who performs all tasks.
- e. The PAAC advises on the implementation of modifications to achieve program accessibility.

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STATE EMPLOYMENT POLICIES AND PRACTICES

Definition

Employment policies and practices include the areas of recruitment, selection, employment, and health and safety of applicants and candidates for state employment and state employees with disabilities.

Role of Program Access Coordinator

Be aware of laws, regulations, and policies that govern state employment practices.

Direct the evaluation of the department's policies and practices concerning nondiscrimination and fair treatment of applicants and candidates for employment and employees with disabilities.

May serve as a consultant to the department's Personnel and Affirmative Action Offices on the identification and implementation of methods to eliminate discriminatory employment policies and practices.

QUESTIONS

● 1. What laws, regulations, and policies require an evaluation of employment policies and practices and mandate nondiscrimination, fair treatment, and equal opportunity for applicants and candidates for employment, and employees with disabilities?

● FEDERAL LAWS/REGULATIONS/POLICIES

The Federal Rehabilitation Act of 1973, Section 504, which may be found in U.S. Labor Code, Title 29, Section 794, prohibits discrimination and denial of benefits to handicapped individuals who are under programs or activities that are funded or receive financial assistance from the federal government. Executive Order 12250 requires the U.S. Department of Justice to coordinate governmentwide enforcement of Section 504 by all federal departments that fund or extend financial assistance to any program or activity.

The following departments have established regulations, guidelines, or policies that mandate nondiscrimination to applicants or candidates for employment or employees by federal departments or entities that receive federal funds:

<u>Agency</u>	<u>Federal Register Location</u> <u>Vol #/Pg #/Date Pub.</u>
*ACTION	44 FR 31018 (1979)
*Agency for International Development	45 FR 68414 (1980)
*Civil Aeronautics Board	47 FR 25936 (1982)
*Department of Agriculture	44 FR 4620 (1979)
*Department of Commerce	43 FR 53765 (1978)
*Department of Defense	47 FR 15127 (1982)
*Department of Education	45 FR 30936 (1980)
*Department of Energy	45 FR 40514 (1980)
*Department of Health and Human Services	42 FR 22676 (1977)
Department of Housing and Urban Development	43 FR 16652 (1978)
Department of Interior	45 FR 24074 (1980)
*Department of Justice	45 FR 37620 (1980)
*Department of Labor	45 FR 66706 (1980)
*Department of State	45 FR 69437 (1980)
*Department of Transportation	44 FR 31442 (1979)
*Department of Treasury (Revenue Sharing)	44 FR 77356 (1980)
Environmental Protection Agency	46 FR 11662 (1981)
Equal Employment Opportunity Commission	44 FR 68482 (1979)
*General Services Administration	44 FR 62298 (1979)
Interstate Commerce Commission	43 FR 25152 (1978)
*Legal Services Corporation	44 FR 55175 (1979)
*National Aeronautics and Space Administration	44 FR 52680 (1979)
*National Endowment for the Arts and Humanities	44 FR 22730 (1979)
National Science Foundation	43 FR 18518 (1978)
*Nuclear Regulatory Commission	45 FR 14533 (1980)
*Small Business Administration	44 FR 20067 (1979)
*Tennessee Valley Authority	45 FR 22893 (1980)
*Veteran's Administration	45 FR 63264 (1980)

*Indicates federal departments having regulations established as of June 30, 1982. An approximate total of 167 federal departments may establish such regulations.

STATE LAWS AND REGULATIONS

Government Code, Article 9.5, Sections 11135-11139.5

These sections mandate comprehensive state civil rights regulations to prohibit discrimination or denial of benefits to persons in the State of California who are under programs or activities that are funded by or receive financial assistance from the state. Discrimination and denial of benefits are prohibited on the basis of ethnic group identification, religion, age, sex, color or physical or mental disability.

Administrative Code, Title 22, Sections 98000-98413

These sections implement California Government Code Sections 11135-11139.5 and establish standards for determining which people are protected and what practices are discriminatory.

Labor Code, Section 1735

This section prohibits discrimination in the employment of people in public works because of physical handicaps.

For additional laws mandating equal opportunity and non-discrimination in employment policies and practices, see Question #8 of this Handbook Section.

● 2. What are some methods to identify and evaluate whether the department's employment policies and practices are equitable and nondiscriminatory?

- The Program Access Coordinator may perform all tasks of developing an employment policies and practices workplan, conducting an evaluation, and summarizing the results of the evaluation

OR

The Program Access Coordinator may direct the activities of:

Department staff who perform all tasks

Non-departmental staff who perform all tasks, i.e.,

Members of the community with expertise in employment policies and practices;

Consultants from outside state service.

Regardless of who actually performs the tasks, there must be assistance and advice from interested persons including handicapped persons or organizations representing handicapped persons. The Program Access Advisory Committee may serve as the resource for this purpose. See Handbook Section on Program Access Advisory Committee.

● 3. What process and major tasks are involved in evaluating a department's employment policies and practices and in determining the department's compliance status?

● The following three major steps are involved in identifying and evaluating the fairness of employment policies and practices:

a. Develop an employment policies and practices evaluation workplan

Identify department program elements that administer the department personnel management system;

Identify the personnel activities conducted by the department;

Identify personnel documents;

Identify an order of evaluation;

Identify resources available to make the needed evaluation;

Identify evaluation staff;

Secure review and approval of plan;

Finalize plan;

Advise/orient evaluation staff on roles and responsibilities.

b. Conduct an evaluation

Compare current employment policies and practices with existing laws, rules and policies;

Identify deficiencies;

Identify alternatives to address deficiencies.

c. Summarize results of evaluation

Determine most appropriate alternatives to address any deficiencies;

Determine approximate time, cost, and appropriate staff.

Indicate the dates of evaluations.

Identify by names, addresses, and telephone numbers the persons who assisted in evaluating and preparing the summary.

●4. Which state departments are responsible for the administration, interpretation, adjudication, and/or application of laws, rules, policies, and procedures concerning state government employment?

● State Personnel Board's Five-Member Board

The State Personnel Board's Five-Member Board is responsible for establishing and determining statewide employment policies and procedures. It administers civil service statutes, establishes job classifications and probationary periods, adopts rules to clarify procedural implementation of statutes, and reviews disciplinary action.

State Personnel Board

By direction of the Five-Member Board, the State Personnel Board (SPB) is responsible for implementation of statewide employment policies and procedures and for operations based on the merit system.* These include recruitment and selection, position classification, review of disciplinary actions and rejections from probation, affirmative action, discrimination complaints, rights of career executives and aspects of internal salary relationships and the layoff processes which are related to merit competition. SPB investigates appeals related to the merit system on all issues of discrimination for state employees and makes recommendations based on employment related laws, rules, policies and procedures to the Five-Member Board.

*The merit system is a system of appointing and promoting personnel in a competitive environment on the basis of value, excellence, and/or superior qualities.

SPB has the following divisions:

Appeals Division

Departmental Services Division

Local Government Services Division

Administrative Services Division

Policy and Standards Division

Public Employment and Affirmative Action Division

Selection Programs and Services Division

Department of Personnel Administration

The Department of Personnel Administration (DPA) was established effective May 1, 1982, to manage aspects of the state's personnel system which are not based on merit competition. As part of the reorganization, various nonmerit functions previously performed by the State Personnel Board were transferred to this new department.

The statutes which DPA administers are related to salary adjustments, days and hours of work, vacations, sick leave, absences, training, performance reports, layoffs, and grievances on provisions and conditions of employment.

Additionally, it is responsible for negotiating salary provisions and conditions of employment with unions.

DPA has the following divisions:

Management Relations Division

Management Program and Administrative Services Division

Labor Relations Division

Contract Administration Division

Department of Fair Employment and Housing

The Department of Fair Employment and Housing (DFEH) is the administering agency for California Civil Rights Laws: 1981 Fair Employment and Housing Act, and Unruh and Ralph Civil Rights Acts. These laws prohibit discrimination in employment, housing, services, and public accommodations based on race, religious creed, national origin, ancestry, medical condition (cancer related), marital status, sex and age. Discrimination because of physical handicap is illegal in employment.

The main job of DFEH is to receive, investigate, and conciliate complaints of discrimination.

DFEH monitors nondiscrimination/affirmative action programs for employees of private industry, public service and agencies which contract with the State of California. It also assists in resolving discrimination related disputes or difficulties within the state and provides an ongoing public information program.

DFEH has the following divisions:

Division of Management Programs and Administration

Legal Division

Division of Field Operations

Fair Employment and Housing Commission

The Fair Employment and Housing Commission (FEHC) is responsible for setting standards and issuing regulations for the enforcement of California civil rights legislation.

The Commission decides each case of discrimination brought before it. If the charge of discrimination is upheld, FEHC issues a legally enforceable order requiring that the unlawful practice cease and remedial action be taken. The decision is subject to judicial review.

FEHC also studies the problems of discrimination, holds open public meetings, develops education materials, and recommends action to DFEH.

Department of Industrial Relations

The Department of Industrial Relations (IR) has responsibility for promoting and developing the welfare of the wage earners of California, improving working conditions, and advancing opportunities for profitable employment.

IR promulgates and enforces laws relating to wages, hours and conditions of employment for non-state government employees.

IR has the following divisions:

Division of Apprenticeship Standards

California State Mediation/Conciliation Service

Division of Industrial Accidents

Workers' Compensation Appeals Board

Division of Occupational Safety and Health

CAL-OSHA Consultation Service

Division of Labor Standards Enforcement/State Labor Commissioner's Office

Division of Labor Statistics and Research

• Self Insurance Plans

• Industrial Welfare Commission

● 5. What publications summarize employment regulations and policies?

● a. FEDERAL

1979 Guidebook to Fair Employment Practices, published by Consumer Clearing House, contains a brief discussion of numerous federal regulations, indicating how they apply to employers, labor unions, and employment agencies and how they affect employment decisions within the full range of policies and practices that make up the employment setting.

"Employment Rights of the Handicapped" by Long, an article in Clearinghouse Law Review, 1977, contains federal constitutional remedies for discrimination in employment of people with handicaps, enforcement

of state antidiscrimination laws, frequent issues in handicap litigation, accommodation, and job relatedness and safety.

b. STATE

Guidelines on Program Accessibility for Persons with Disabilities, published by the Office of Statewide Compliance Coordination, establishes criteria and provides direction to state departments on compliance with state and federal laws concerning the accessibility of state programs and activities.

Definitions of Key Terms and Phrases Used in Federal Regulations Relating to Section 504 of the Federal Rehabilitation Act of 1973, published by the Office of Statewide Compliance Coordination, provides a comparison summary on thirteen key terms and phrases used within the regulations of sixteen federal departments.

Program Access Master Planning Guide, published by the Office of Statewide Compliance Coordination, outlines a standardized approach to evaluate a department's compliance status.

State Personnel Board Affirmative Action for the Disabled implements state policy applicable to affirmative action for the disabled. It establishes criteria for determining goals and time tables and provides direction regarding reasonable accommodation for applicants/candidates and employees with disabilities.

State Administrative Manual is a publication of the State Department of Finance. It contains California employment policies and practices in the areas of medical examinations, position changes, compensation, benefits, and leaves of absence.

c. GOVERNMENT OR PRIVATE AGENCY PUBLICATIONS

Discrimination Complaints Procedures for Handicapped Federal Employees and Applicants for Federal Jobs: Some Questions and Answers and on How the Discrimination Complaints System Works are pamphlets published by the Civil Service Commission which contain specific information on discrimination complaints procedures for federal job applicants and employees with handicaps.

Handbook of Selective Placement of Persons with Physical and Mental Handicaps in Federal Civil Service Employment, published by the Office of Personnel Management, outlines concepts and procedures that can be used to provide equal employment opportunity for job applicants or employees with handicaps.

The Blind and Physically Handicapped in Competitive Employment: A Guide to Compliance is a publication of the National Federation of the Blind. It includes a discussion of what constitutes the social background of Title V, Sections 501-504 of the Rehabilitation Act of 1973, as well as specific information on what constitutes compliance and the resources that are available to assist in meeting compliance requirements. The publication also addresses the larger social and philosophical implications for agencies and institutions in the entire matter of ending discrimination against the handicapped--both in admissions and hiring and in making programs accessible to them.

Program Access Master Planning Guide was designed for use by California state departments by the Office of Statewide Compliance Coordination. It is a standardized approach to developing a master plan to ensure that people with disabilities are provided equal opportunity and fair treatment. It outlines a six-step process to evaluate a department's compliance status with state and federal laws on nondiscrimination, and establishes a plan to accomplish any needed changes to department policies, practices, or the architectural access of facilities.

6. How can a Program Access Coordinator find out the department's process for recommending and implementing policy changes that will assure nondiscrimination and access to employment programs and activities?

A department's Personnel Offices, Administrative Services Offices, and Affirmative Action Offices are all good sources for obtaining information about existing departmental systems for recommending changes in the area of employment policies and practices. Most departments prefer a written recommendation which includes:

The issue or problem: identification of the problem and history of the case;

Variety of possible solutions or options;

Recommended method and solution for resolving the problem;

Recommended time frame for implementing the change;

Personnel who need to be involved in resolving or implementing recommended changes.

●7. If a department has evaluated its employment policies and practices recently for affirmative action purposes, is it necessary to do another?

●Yes, because the preparation of an affirmative action plan typically includes only a portion of the information needed to evaluate a department's employment policies and practices for nondiscrimination compliance with Title V, Section 504 of the Rehabilitation Act of 1973.

The purpose of preparing an affirmative action plan is to set goals and time tables to employ women, ethnic minorities, and disabled persons. These goals and time tables may affect department employment policies and practices on nondiscrimination and fair treatment for people with disabilities.

Some examples of specific items that may not be covered in affirmative action plans are:

Employee recruitment and selection procedures that enable special testing arrangements, equipment accommodations, facility design and space accommodation, and support services such as readers, markers, and interpreters;

Health questionnaires, personal background reports or inquiries, and interview techniques;

Pre-employment and employment medical examinations;

On-the-job training programs.

●8. What resources are available to provide information on specific issues related to the employment of people with handicaps?

●a. CALIFORNIA STATE DEPARTMENTS

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
Department Evaluation of Employment Policies and Practices	Office of Statewide Compliance Coordination	Information on the various methods and tools available to evaluate a state department's employment policies and practices.
Administrative Procedures for Employment Policies and Practices	Department of Finance	Publishes <u>State Administrative Manual</u> which contains California state employment policies and practices in the areas of : Medical Examinations Position Changes Compensation Benefits Leaves of Absence
	State Personnel Board	Information on legal mandates, policies, and procedures relating to the state employment merit system.
	Department of Personnel Administration	Information on legal mandates and policies relating to state employee's salary adjustments, days and hours of work, vacation, sick leave, absences, training, performance reports, layoffs, and grievances on provisions & conditions of employment.

TopicsSourcesInformation

Affirmative
Action for
the Disabled

State Personnel
Board
Public Employment
and Affirmative
Action Division
Affirmative
Action for the
Disabled Unit

Information on legal
mandates, policies,
and methods applicable
to achieve affirmative
action for employment
of people with handi-
caps in state govern-
ment. Publishes Guide-
lines--Affirmative Ac-
tion for the Disabled.

Job Placement
Assistance

Department of
Rehabilitation

Provides information
to individuals, gov-
ernmental and private
agencies on the em-
ployment and indepen-
dent living potential
of disabled persons,
provides job develop-
ment and coordinates
placement assistance
for persons with dis-
abilities.

Civil Rights

State Personnel Board
Appeals Division
Department of Justice
Civil Law Section
Office of Administra-
tive Law

Information on implemen-
tation of statewide em-
ployment policies and
procedures including all
issues relating to dis-
crimination against
state employees.

Department of Fair
Employment and Hous-
ing
Compliance Branch

Information concerning
conciliation of com-
plaints on discrimina-
tion in employment,
housing, and public
accommodation in Cali-
fornia.

Injured
State
Employees

Department of Per-
sonnel Administra-
tion

Information regarding
injured state worker
program and issues re-
lated to sick leave,
time off, benefits, and
absences for state
employees.

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
Auxiliary Aids/ Support Services	State Personnel Board Affirmative Action for the Disabled Unit Department of Develop- mental Services Department of Aging Department of Rehabili- tation Mobility and Communi- cation Barriers Sec- tion Services to Deaf Per- sons Services to Blind Persons Department of Social Services State Council on Develop- mental Disabilities Regional Centers for Developmental Disabili- ties Area Boards on Develop- mental Disabilities	Information and/or coun- seling to individuals and governmental and private agencies on the type of accommodations, such as specialize equipment, aids, and devices that are avail- able to facilitate build- ing accessibility, employ- ment, and the independent living potential of disabled persons.
Employee Travel	Department of General Services Fleet Administra- tion Division	Information regarding modes of employee travel and adaptable and accessible state employee vehicles

b. DEPARTMENTAL OFFICES

<u>Sources</u>	<u>Information</u>
Personnel Office Affirmative Action Office Administrative Services Office Program Access Coordinator Disabled Advisory Committee	Technical assistance and informa- tion on laws and policies. Creative and cost efficient meth- ods and resources for providing nondiscriminatory employment policies and practices.

c. LAWS

The following state and federal laws mandate nondis-
crimatory employment policies and practices. For
explanations of these laws and information on additional
related laws see Legal Mandates Section of this Handbook.

1.) State

CIVIL RIGHTS: Comprehensive State Civil Rights
Government Code, Article 9.5, SS 11135-11139.5 - Nondiscrimination
in State Supported Programs and Activities

CIVIL RIGHTS: Remedies for Discrimination Violations
Administrative Code, Title 22, SS 98000-98413 - Implementation
Standards and Guidelines

EMPLOYMENT: Business opportunities for the Severely
Handicapped
Welfare & Institutions SS 19625-19652 - Business
Enterprises for the Blind
Welfare & Institutions S 19725 - State Owned Business
Facilities

EMPLOYMENT: Discrimination
Government Code S 12940 - Unlawful Employment Practices
Labor Code S 1735 - Discrimination
Administrative Code, Title 2, S 7293.7 - Employment
Discrimination
Administrative Code, Title 2, S 7294.1 - Employee
Selection

EMPLOYMENT: Reasonable Accommodation
Administrative Code, Title 2, 7293.9 - Reasonable
Accommodation

EMPLOYMENT: General Policy for State Employees
Government Code SS 19230-19232 - State Policy

EMPLOYMENT: Manpower Programs/Policy
Unemployment Insurance Code S 9003 - Manpower Programs

GOVERNMENT EMPLOYEES: Affirmative Action in California
State Employment
Government Code S 19230 - State Policy
Government Code S 19232 - Affirmative Action
Government Code S 19233 - State Personnel Board
Government Code S 19235 - Advisory Committee

GOVERNMENT EMPLOYEES: Coercion by Government Employees
Government Code S 8313 - Coercion of Aged, Blind,
or Disabled Persons

GOVERNMENT EMPLOYEES: Injuries
Government Code S 18301 - Workers Compensation for Firemen
Labor Code S 6200 - Referral of Injured Full-Time
Public Employees
Labor Code S 6230 - Subsistence Allowances for Referred
Public Employees

TRANSPORTATION: Electric Carts
Vehicle Code S 2114.5 - Electric Carts on Sidewalks

GOVERNMENT EMPLOYEES: California Industries for the Blind
Unemployment Insurance S 605.5 California Industries
for the Blind

2.) FederalEMPLOYMENT: General PolicyLabor (U.S.C. 29) S 793 - Employment Under Federal ContractsEMPLOYMENT: General PolicyLabor (U.S.C. 29) S 49b - United States Employment ServiceLabor (U.S.C. 29) S 49g - State Plans to Receive Benefits from United States Employment ServiceEducation (U.S.C. 20) S 1405 - Employment of Handicapped IndividualsExecutive Order No. 11480 (44 F.R. 1053) - President's Committee on Employment of the HandicappedEMPLOYMENT: Federal ContractsLabor (U.S.C. 29) S 793 - Employment Under Federal ContractsPublic Contracts and Property Management (41 C.F.R.) SS 60-741 - Government ContractsEMPLOYMENT: Fair Labor StandardsLabor (U.S.C. 29) S 214 - Fair Labor Standards for the HandicappedEMPLOYMENT: Employ the Handicapped WeekPatriotic Societies and Observances (U.S.C. 36)S 155 - National Employ the Physically Handicapped WeekEMPLOYMENT: Vending StandsEducation (U.S.C. 20) S 107 - Operation of Vending StandsEMPLOYMENT: Vocational RehabilitationEducation (U.S.C. 20) SS 681-685 - National Technical Institute for the DeafLabor (U.S.C. 29) SS 31-34 - Grants to Assist in Rehabilitation of Persons Injured in IndustryLabor (U.S.C. 29) S 35 - State Plans for Vocational Rehabilitation of Persons Injured in IndustryLabor (U.S.C. 29) S 38 - Promotion of Employment OpportunitiesLabor (U.S.C. 29) SS 720-723 - Federal Grants/State PlansLabor (U.S.C. 29) SS 750-751 - American Indian Vocational Rehabilitation Services GrantsLabor (U.S.C. 29) S 777b - Migratory WorkersPublic Health & Welfare (U.S.C. 42) S 422 - Referral for Rehabilitation ServicesEMPLOYMENT: Youth OpportunitiesExecutive Order No. 1130 (35 F.R. 11221) - Coordination of Youth Opportunity Programs

d. PUBLICATIONS

Affirmative Action and Equal Employment: A Guidebook for Employers Volume 2, Appendices. U.S. Equal Employment Opportunity Commission, Education Programs Division, Office of Voluntary Programs, Washington, D.C., 1973.

Attitudinal Barriers and Employment Practices and Procedures that Affect the Employment of Handicapped Individuals in the Federal Government. Report by Interagency Committee on Handicapped Employees, Washington, D.C., 1975.

Definitions of Key Terms and Phrases Used in Federal Regulations Relating to Section 504 of the Federal Rehabilitation Act of 1973. Office of Statewide Compliance Coordination, Sacramento, California, January, 1982.

Employment of Handicapped Individuals Including Disabled Veterans in the Federal Government. Office of Selective Placement Programs, Office of Personnel Management, Washington, D.C., published September 30 of each year.

Fair Employment and Housing Act, Unruh and Ralph Civil Rights Acts and Related California Statutes. Department of Fair Employment and Housing, Sacramento, California, 1981.

Federal Personnel Manual. Office of Personnel Management, Washington, D.C.

Genung, H., & Coffee, K. Job Restructuring to Employ the Handicapped. California State Personnel Board, Sacramento, California, January, 1979.

Guide for Reasonable Accommodation in Employing the Handicapped. Department of Rehabilitation, Mobility and Communications Barriers Section, Sacramento, California, June, 1980.

Guide for Implementing Reasonable Accommodation. State Personnel Board, Sacramento, California, October, 1982.

Guidebook to Fair Employment Practices. Commerce Clearing House, Inc., Chicago, Illinois, 1979.

Handbook of Selective Placement of Persons with Physical and Mental Handicaps in Federal Civil Service Employment. Office of Personnel Management, Washington, D.C., March, 1977.

Laws and Rules Governing the California State Civil Service. Department of Personnel Administration, Sacramento, California, May 1, 1981.

Laws and Rules Governing the California State Civil Service. State Personnel Board, Sacramento, California, January, 1981.

Long. "Employment Rights of the Handicapped." In Vol. II, Clearinghouse Law Review, p. 703, 1977.

Guidelines on Program Accessibility for Persons with Disabilities. State and Consumer Services Agency, Office of Statewide Compliance Coordination, Sacramento, California, November, 1981.

Levitan, Sam, and Taggart, Robert. Jobs for the Disabled. Johns Hopkins University Press, Baltimore, Maryland, 1977.

Program Access Master Planning Guide. State and Consumer Services Agency, Office of Statewide Compliance Coordination, Sacramento, California, January, 1983, (Second Edition).

Program Accessibility Training for Trainers Manual. Office of Statewide Compliance Coordination, Sacramento, California, 1983, (Second Edition).

Reasonable Accommodation, Eliminating Handicaps. California Governor's Committee for Employment of the Handicapped, Sacramento, California.

Reasonable Accommodation - The Employment Story. Kemp & Young Inc., under contract to Region VI, Technical Assistance, U.S. Department of Health and Human Services, San Francisco, California.

State Personnel Board Affirmative Action for the Disabled Guidelines. State Personnel Board, Sacramento, California.

Seyforth, Shaw, Fairweather, & Geraldson. Complying with Equal Employment Regulations for Handicapped Persons. Executive Enterprises Publications Co., Inc., New York, 1979.

State Entities that Facilitate Compliance Responsibilities. Office of Statewide Compliance Coordination, Sacramento, California, April, 1982.

State Administrative Manual. Department of Finance, State of California, Sections:

Employee Absences	8536, 8594.1
Disability	0483.1-83.2
Exempt	0400-22.1
Leave Record	9535-36
Physical Examination	0190.1
Protection Program	2660-67
Return to National Service	8599
Separated Employees	8593.4, 11072.21
Work Injuries	0481-81.4
Vehicles for Handicapped Employees	4182.41

The Blind and Physically Handicapped in Competitive Employment: A Guide to Compliance. National Federation of the Blind. Baltimore, Maryland, 1979.

The President's Committee on Employment of the Handicapped, Washington, D.C., publishes the following pamphlets:

Respond to: Workers with Cystic Fibrosis
Respond to: Workers with Epilepsy
Respond to: Mentally Restored Workers
Respond to: Workers with Muscular Dystrophy
So You're Going to Hire a Mentally Restored Person
So You're Going to Hire a Mentally Retarded Person
Look Who's Minding the Store: Supervising Disabled Employees
Guide to Job Placement of Mentally Restored People
About Jobs and Mentally Retarded People
Guide to Job Placement of Mentally Retarded Workers
Why Not Hire a Blind Person?

E

REASONABLE ACCOMMODATION

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REASONABLE ACCOMMODATION

Definition

Reasonable accommodation is an adjustment to job/examination duties, performance methods, and/or work/examination settings to meet the individualized need of a disabled candidate or applicant for employment or an employee. It includes changes in employment policies and practices and/or provision of specialized equipment, which enable a qualified person with disabilities to perform the duties of a position. The provision of reasonable accommodation removes barriers in a specific situation which prevent or limit the application process, selection, and/or employment and upward mobility of a qualified person with disabilities.

Role of Program Access Coordinator

Be aware of regulations and policies concerned with reasonable accommodation.

May serve as a consultant to department administration and staff on the review and approval of accommodation requests.

QUESTIONS

● 1. Are departments required to have a policy for receiving requests for and providing reasonable accommodation?

- Yes, each department is to have an established policy and process for determining and providing reasonable accommodation to the individualized job-related needs of qualified applicants, candidates and employees with disabilities. For information on model policy and procedures contact:

State Personnel Board
Affirmative Action for the Disabled Unit
801 Capitol Mall/Mail Station 19555
Sacramento, CA 95814
916/445-5188

● 2. What are some examples of reasonable accommodations to the job performance needs of an applicant or candidate for employment or employee?

- a. Job Restructuring:

Reassigning incidental duties
Taking parts of several jobs to form one job

- b. Schedule Restructuring:

Flextime
Part-time work
Time off to allow for treatment or hospitalization
Administrative leave/sick leave

- c. Support Service Accommodations:

Readers
Markers
Interpreters
Drivers

- d. Special Test Arrangements:

Modified test administration methods
Modified exam format and/or time frame
Practical demonstration of skills

e. Equipment Accommodations:

Special office equipment

Desks with swivel top
Desks with specialized height adjustment
File cabinets

Writing aids

Braille typewriter
Braille writer
Dictation equipment
Specialized typewriter
Mouth sticks
Cassette recorder
Slate and stylus
Talking calculator
Magnetic ruler
Line spacer

Speaking aids

Loudspeaker/amplifier
Microphone
Teletypewriting devices

Visual aids

Image sensing devices
Magnification devices
Closed circuit television

Reading aids

Book stands
Cantilevered table
Page turner
Magnifying glasses
Projector

Reaching/Grasping aids

Tongs
Knobs, lever handles, switches

f. Architectural Accommodations:

Doorways and entrance doors

Widened
Automatic

Fixtures

Drinking fountains
Public telephones
Shelves
Electrical switches
Dispensers
Files
Elevator Panels

f. Architectural Accommodations (continued):

Paths of travel

Elevators
Handrails
Ramps
Parking

Rooms and floors

Lunchrooms
Floor surfaces
Restrooms
Training and testing rooms

●3. What regulations and policies mandate reasonable accommodation?

● FEDERAL REGULATIONS

The following federal departments have established regulations, guidelines or policies that require the provision of reasonable accommodation by federal departments or entities that receive federal funds:

<u>Agency</u>	<u>Federal Register Location</u>			
	<u>Vol</u>	<u>#/Pg</u>	<u>#/Date</u>	<u>Pub.</u>
*ACTION	44	FR	31018	(1979)
*Agency for International Development	45	FR	86414	(1980)
*Civil Aeronautics Board	47	FR	25936	(1982)
*Department of Agriculture	44	FR	4620	(1979)
*Department of Commerce	43	FR	53765	(1978)
*Department of Defense	47	FR	15127	(1982)
*Department of Education	45	FR	30936	(1980)
*Department of Energy	45	FR	40514	(1980)
*Department of Health and Human Services	42	FR	22678	(1977)
Department of Housing and Urban Development	43	FR	18652	(1978)
Department of Interior	45	FR	24074	(1980)
*Department of Justice	45	FR	37620	(1980)
*Department of Labor	45	FR	66706	(1980)
*Department of State	45	FR	69437	(1980)
*Department of Transportation	44	FR	31442	(1979)
*Department of Treasury (Revenue Sharing)	44	FR	77356	(1980)
Environmental Protection Agency	46	FR	11662	(1981)
Equal Employment Opportunity Commission	44	FR	68482	(1979)
*General Services Administration	44	FR	62296	(1979)
Interstate Commerce Commission	43	FR	25152	(1978)
*Legal Services Corporation	44	FR	55175	(1979)
*National Aeronautics and Space Administration	44	FR	52680	(1979)
*National Endowment for the Arts and Humanities	44	FR	22730	(1979)
National Science Foundation	43	FR	16518	(1978)
*Nuclear Regulatory Commission	45	FR	14533	(1980)
*Small Business Administration	44	FR	20067	(1979)
*Tennessee Valley Authority	45	FR	22893	(1980)
*Veteran's Administration	45	FR	63264	(1980)

*Indicates federal departments having regulations established as of June 30, 1982. An approximate total of 167 federal departments may establish such regulations.

STATE LAWS/REGULATIONS

Government Code Article 9.5, Sections 11135-11139.5

These sections mandate comprehensive state civil rights regulations that prohibit discrimination or denial of benefits to persons in the state of California who are under programs or activities that are funded or receive

financial assistance from the state. Discrimination and denial of benefits are prohibited on the basis of ethnic group identification, religion, age, sex, color, or physical or mental disability.

Administrative Code Title 2, Section 7293.9

This section mandates employers to make modifications for accessibility and job restructuring for employees with physical handicaps. The term "reasonable accommodation" is specifically mentioned in this section.

Administrative Code Title 22, Sections 98000-98413

These sections implement California Government Code Sections 11135-11139.5 and establish standards for determining which people are protected and guidelines for determining what practices are discriminatory. Sections 98254-98255 include methods of ensuring program accessibility by setting forth examples of reasonable accommodations, and Section 98250d1 mentions reasonable accommodation in the definition of qualified disabled person.

Labor Code Section 1735

This law prohibits discrimination in the employment of people in public works because of physical handicaps.

STATE POLICIES

Affirmative Action for the Disabled Guidelines, published by the State Personnel Board, contains state and federal laws mandating affirmative action for the disabled, plans for affirmative action, and provision of reasonable accommodation.

Guidelines on Program Accessibility for Persons with Disabilities, published by the Office of Statewide Compliance Coordination, establishes criteria and provides direction to state departments on compliance with federal and state laws concerning the accessibility of state programs and activities for persons with disabilities. It includes specific information and considerations on establishing policies and procedures for reasonable accommodation by California state departments.

Memo: "Reasonable accommodation for handicapped employees." California Department of Rehabilitation, Technical Assistance Project, Sacramento, CA, May, 1979.

Memo: "Appeals process for appeals based on the provision of reasonable accommodation to disabled persons." California State Personnel Board, Sacramento, CA, May 27, 1982.

Memo: "State Personnel Board policy, standards, and procedures for providing reasonable accommodation in the examination process." California State Personnel Board, Sacramento, CA, June 9, 1982.

Memo: "Reasonable accommodation in the selection program." California State Personnel Board, Sacramento, CA, August 3, 1982.

●4. Who may make a request for reasonable accommodation?

- Any disabled applicant or candidate for employment or employee, or their representative, may make a request.

●5. What are the roles and responsibilities of individuals requesting reasonable accommodation and the department staff who review the requests?

● Applicants/Candidates for Employment or Employees

Provide as much information as possible on: (1) type of accommodation needed, (2) availability of accommodation, (3) benefit of accommodation.

Be knowledgeable about information regarding most useful and helpful types of reasonable accommodation to meet the needs of this current situation.

Departmental Request Reviewers

Gain knowledge and information about: (a) various types of accommodation for individual employees' special needs, (2) availability of accommodation, (3) benefit of accommodation to performance of job task, (4) alternative types of accommodations to meet the specific situation, (5) criteria for determining when a request imposes an undue hardship on the department's operation, i.e., the overall size of the department (number of employees, number of service recipients, size and type of facilities, size of budget) and the type of program operation, including composition and structure of work force.

Involve the applicant or candidate for employment or employee in identifying his/her special needs related to employment and in determining which modification is most appropriate.

●6. What is a method for submitting and reviewing reasonable accommodation requests?

- A procedure for submitting and reviewing reasonable accommodation requests is outlined in the following chart.

Reasonable Accommodation Request Procedure

Requester Status			Major steps in submitting and reviewing service recipient accommodation requests	Request Status				Review Action
Applicant	Candidate	Employee		Within reviewer's authority/responsibility	Approved	Denied/Appealed	No Action	
X	X	X	1. The applicant/candidate or employee makes a request for reasonable accommodation.					Initiates a request and submits it to the hiring/testing authority or immediate supervisor/reviewer.
X	X	X	2. Departmental request review process a. Testing/Hiring Authority Immediate Supervisor/Reviewer Reviews the request for type of request and approval level required.	X	X			If within the supervisor/reviewer's area of authority and request is approved, the supervisor/reviewer initiates action to implement the request and advises the applicant/candidate or employee.
							X	If not within the supervisor/reviewer's area of authority, he/she advises the applicant/candidate or employee that the request is being sent to the next review level.
						X		If request is denied, supervisor/reviewer advises applicant/candidate or employee of the reasons for the denial, the options to appeal, and the appeal process. The Supervisor/reviewer sends a copy of the denied request with a rationale for denial to the Personnel Office.
							X	If no response and no decision within 10 days of the initial request, the applicant/candidate or employee may appeal for action to require a decision. The applicant/candidate or employee may advise the supervisor/reviewer and submit a request for action to the department Personnel Office and/or submit a complaint to the State Personnel Board, Appeals Division.
		X	2. b. Unit Manager Reviews the request for type of request and approval level required.	X	X			If within the unit manager's area of authority and the request is approved, the approved request is returned to the supervisor/reviewer for implementation. The supervisor/reviewer advises the applicant/candidate or employee of the request status.
							X	If not within the unit manager's area of authority, he/she advises the supervisor/reviewer that the request is being sent to next review level. The supervisor/reviewer advises the applicant/candidate or employee of the request status.
				X		X		If request is denied, the unit manager advises the supervisor/reviewer. The supervisor/reviewer advises the applicant/candidate or employee of reasons for the denial, the options to appeal, and the appeal process. The unit manager sends a copy of the denied request with a rationale for denial to the Personnel Office. If the applicant/candidate or employee decides to appeal, he/she should advise the supervisor/reviewer and submit a request for reconsideration to the Personnel Office. The Personnel Office is to submit the request to the division chief for reconsideration.
							X	If no response and no decision within 10 days of the initial request, the applicant/candidate or employee may appeal for action to require a decision. The applicant/candidate or employee may advise the supervisor/reviewer and submit a request for action to the Personnel Office and/or State Personnel Board, Appeals Division.
X	X	X	c. Division Chief Reviews the request for type of request and approval level required.	X	X			If request is approved, the division chief advises the unit manager and the supervisor/reviewer. The division chief sends copies of the approved request to all, including the Personnel Office. The supervisor/reviewer implements the accommodation and advises the applicant/candidate or employee of the request status.
							X	If not within the division chief's area of authority, the division chief advises unit manager and the supervisor/reviewer that the request is being sent to the director level. The supervisor/reviewer advises the applicant/candidate or employee.

Reasonable Accommodation Request Procedure

Requester Status				Request Status				Review Action
Applicant	Candidate	Employee	Major steps in submitting and reviewing reasonable accommodations requests	Within reviewer's authority/responsibility	Approved	Denied/Appealed	No Action	
			c. Division Chief (continued)	X		X		If the request is denied, the division chief advises the unit manager and supervisor/reviewer. The supervisor/reviewer advises the applicant/candidate or employee of reasons for the denial and of the approval process. The division chief provides all with copies of request including denial rationale. The Personnel Office is to receive a copy of the denied request and rationale. If the applicant/candidate or employee appeals, he/she should advise the supervisor/reviewer and submit a request for reconsideration to the Personnel Office. The Personnel Office submits the request to the director for reconsideration.
							X	If no response and no decision within 10 days of the initial request, the applicant/candidate or employee may appeal for action to require a decision. The applicant/candidate or employee may advise the supervisor/reviewer and submit a request for action to the Personnel Office and/or submit a complaint to the State Personnel Board, Appeals Division.
X	X	X	d. Director Reviews for approval/denial	X	X			If the request is approved, the director advises the division chief, unit manager, and the supervisor/reviewer. The division chief sends copies of the approved request to all including Personnel Office. The supervisor/reviewer advises the applicant/candidate or employee and implements the accommodation request.
				X		X		If the request is denied, the director advises the division chief who informs the unit manager and the supervisor/reviewer. The supervisor/reviewer advises the applicant/candidate or employee of reasons for the denial and of the appeal process. The director provides all, including the Personnel Office, with copies of the denied request. If the applicant/candidate or employee appeals, he/she should advise the supervisor/reviewer and may submit a request for reconsideration to the State Personnel Board, Appeals Division.
							X	If no response and no decision within 10 days of the initial request, the applicant/candidate or employee may appeal for action to require a decision. The applicant/candidate or employee may advise the supervisor/reviewer and submit a request for action to the Personnel Office and/or State Personnel Board, Appeals Division.
X	X	X	3. State Personnel Board Appeal Resolution Process Investigates complaints and appeals, facilitates departmental resolutions, and determines remedies.			X	X	The State Personnel Board, Appeals Division with the assistance of the State Personnel Board, Affirmative Action for Disabled Unit, immediately investigates the complaint or appeal and initiates action to facilitate resolution. If the appeal is not informally resolved within 10 working days of the receipt of the appeal, the State Personnel Board may: 1. Extend the time frame for resolution, if sufficient progress warrants the extension; 2. Order a remedy; 3. Submit the appeal for a hearing at the next scheduled meeting of the State Personnel Board Five-Member Board. The Five-Member Board may order a remedy.

● 7. What information should be included on a request for reasonable accommodation?

- A description of the requested accommodation and an explanation of the need must be included.

If it is a purchasable item, the request should include:

Price and supplier of accommodation

Resources for obtaining the accommodation

When appropriate and practical, the request should also include:

Alternative types of accommodations considered and sources that were used to arrive at these alternatives.

The time frame within which each accommodation considered can be provided.

● 8. What are some of the criteria to be considered in identifying an appropriate accommodation?

- Each situation is to be approached on an individual basis giving consideration to a variety of options which would enable the individual with disabilities to perform the employment eligibility tests and/or the job duties most effectively.

In order to be considered a reasonable accommodation the modification must be determined based on the individual's needs and abilities, the essential elements of the test or duties of the particular job, the essential testing or working environment, and the reasonableness of the proposed accommodation.

The applicant, candidate, or employee is to participate in determining which accommodation is most appropriate.

The nature and benefit of a particular accommodation may be clarified by considering questions such as the following:

What accommodations, if any, are necessary in order to perform the employment eligibility tests and/or job assignments?

What alternative procedures, methods and auxiliary aids are available to facilitate the needs of the applicant, candidate, or employee?

Can the accommodation presently or in the future benefit other personnel? How?

How will the accommodation affect the applicant's, candidate's, or employee's ability to participate or perform competitively?

How soon is the accommodation required?

How long will it take to obtain the accommodation?

Who would obtain the accommodation?

Is training in the use of the accommodation appropriate?

Who should provide the training?

Who should receive the training?

● 9. What information should be included in a request for an appeal?

● The request for an appeal must include:

A description of the individualized need for accommodation in order to accomplish or participate in specific activities;

Levels of review request has received, date of initial request and lapsed time frame;

Rationale for department denial or inaction;

Alternative types of accommodations considered;

Sources used to arrive at these alternatives.

When appropriate and practical include:

Time frame within which each accommodation can be provided, its price and supplier;

The overall size of the department (number of employees, number of service recipients, size and type of facilities, size of budget) and the type of program operation, including composition and structure of work force.

●10. How can a Program Access Coordinator find out the department's policy and process for requesting necessary modifications?

- A department's Executive Officer, Administrative Services Offices, and Personnel Offices, as well as the department's policy and procedural manual are all good sources for obtaining information to identify the department's policy and process for receiving and reviewing requests on a reasonable accommodation.

●11. What resources are available to provide information on specific issues related to the provision of reasonable accommodation?

● a. CALIFORNIA STATE DEPARTMENTS

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
Laws and Policies	State Personnel Board Public Employment and Affirmative Action Division Affirmative Action for the Disabled Unit	Information on legal mandates, policies, and methods applicable to affirmative action and nondiscrimination in state and government employment for people with disabilities. Publishes <u>Guidelines--Affirmative Action for the Disabled</u> .
Auxiliary Aids/Support Services	Department of Rehabilitation Rehabilitation and Engineering Section Mobility and Communication Barriers Section Services to Deaf Persons Services to Blind Persons Department of Social Services Department of Developmental Services	Information to individuals, governmental and private agencies on specialized equipment, aids and devices that are available to facilitate architectural accessibility, independent living potential, and the employment of people with disabilities.

TopicsSourcesInformation

(continued)

Department of Aging
 State Council on Developmental Disabilities
 Regional Centers on Developmental Disabilities
 Area Boards on Developmental Disabilities
 State Personnel Board
 Public Employment and Affirmative Action Division
 Affirmative Action for the Disabled Unit

Employee
 Travel

Department of General Services
 Fleet Administration Division

Information regarding accessible state vehicles for employees with disabilities.

Job or Schedule
 Restructuring

Department of Personnel Administration
 Labor Relations Division/Management Relations Division

Information based on issues of employment not based on merit competition including: salary adjustments, sick leave, absences, performance reports, layoffs and grievances not related to discrimination.

Working
 Conditions

Department of Industrial Relations

Information regarding the improvement of working conditions, advancement of opportunities for profitable employment and promotion and development of the welfare of California wage earners.

Technical
 Assistance

Office of Statewide Compliance Coordination

Information on the various tools and methods available to facilitate compliance of state departments with federal and state legislation

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
		(continued) relating to efficient and cost-effective non-discriminatory employment policies and practices.
Civil Rights	State Personnel Board Appeals Division Department of Justice Civil Law Section Office of Administrative Law	Information on implementation of statewide employment policies and procedures including all issues relating to discrimination against state employees.

b. DEPARTMENTAL OFFICES

<u>Sources</u>	<u>Information</u>
Administrative Services/ Business Services Office Personnel Office Affirmative Action Office Disabled Advisory Committee Program Access Coordinator Executive Officer	Technical assistance and information on laws and policies. Creative and cost efficient methods for providing reasonable accommodation

c. LAWS

The following state and federal laws and regulations mandate reasonable accommodation. For explanations of these laws and information on additional related laws, see Legal Mandates Section of this Handbook.

1) STATE

CIVIL RIGHTS: Comprehensive State Civil Rights Government Code, Article 9.5, SS 11135-11139.5 - Non-discrimination in State Supported Programs and Activities

CIVIL RIGHTS: Remedies for Discrimination Violations Administrative Code, Title 22, SS 98000-98413 - Implementation Standards and Guidelines

EMPLOYMENT: Discrimination
Labor Code S 1735 - Discrimination

EMPLOYMENT: Discrimination
Administrative Code, Title 2 (Administration) S 7294.1 - Employee Selection

EMPLOYMENT: Reasonable Accommodation
Administrative Code, Title 2 (Administration) S 7293.9 - Reasonable Accommodation

TRANSPORTATION: Electric Carts
Vehicle Code S 2114.5 - Electric Carts on Sidewalks

2) FEDERAL

EMPLOYMENT: Vocational Rehabilitation
Labor (U.S.C. 29) S 923 - Scope of Services

GOVERNMENT EMPLOYEES: Reader/Interpreter Services
 Government Organization and Employees (U.S.C. 5)
S 3102 - Employment of Assistants for Blind or Deaf
 Employees

d. PUBLICATIONS

Program Access Master Planning Guide, published by the Office of Statewide Compliance Coordination, is a standardized approach to developing a master plan to ensure that applicants or candidates for employment or employees are provided equal opportunity and fair treatment. It outlines a six-step process to evaluate a department's compliance status with state and federal laws on nondiscrimination and establishes a plan to accomplish any needed changes to department policies, practices, or the architectural access of facilities. It contains specific information on the provision of reasonable accommodation to handicapped applicants or candidates for employment or employees in the areas of recruitment, selection and employment.

Adaptation of Jobs for the Disabled. International Labour Office, Geneva, Switzerland, 1969.

Definitions of Key Terms and Phrases Used in Federal Regulations Relating to Section 504 of the Federal Rehabilitation Act of 1973. California State and Consumer Services Agency, Office of Statewide Compliance Coordination, Sacramento, CA, January, 1982.

Genung, H. and Coffee, K., Job Restructuring to Employ the Handicapped. California State Personnel Board. Sacramento, CA, January, 1979.

Guide for Reasonable Accommodation in Employing the Handicapped. California Department of Rehabilitation, Technical Assistance Project, Sacramento, CA, June 1980.

Guidelines: Affirmative Action for the Disabled. Johns Hopkins University Press. 1977.

Levitan, S. & Taggart, R., Jobs for the Disabled. Johns Hopkins University Press. 1977.

Ohio Rehabilitation Services Commission. Handbook on Reasonable Accommodation. Section 504 Technical Assistance Unit, Columbus, Ohio, September, 1981

Statewide Guidelines on Program Accessibility for Persons with Disabilities. Office of Statewide Compliance Coordination, Sacramento, CA, 1981.

Program Accessibility Training for Trainers Manual. Office of Statewide Compliance Coordination, Sacramento, CA, 1983 (Second Edition).

Reasonable Accommodation, Eliminating Handicaps. California Governor's Committee for Employment of the Handicapped, Sacramento, CA.

F

STATE SERVICE POLICIES AND PRACTICES

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STATE SERVICE POLICIES AND PRACTICES

Definition

Service policies and practices include the areas of admissions, eligibility standards and requirements on preregistration and registration, prelicensing and licensing, and testing components for applicants and candidates for services and recipients of services.

Role of Program Access Coordinator

Be aware of laws, regulations, and policies that govern practices related to disabled applicants and candidates for public services and service recipients.

Direct the evaluation of the department's policies and practices concerning nondiscrimination and fair treatment of applicants and candidates for services and service recipients with disabilities.

May serve as a consultant to the department's Executive Officer and Administrative Services Offices in the identification and implementation of methods to eliminate discriminatory service policies and practices.

QUESTIONS

● 1. What laws, regulations, and policies require an evaluation of service policies and practices and mandate nondiscrimination and fair treatment for applicants and candidates for services, and recipients of services?

● FEDERAL LAWS/REGULATIONS/POLICIES

The Federal Rehabilitation Act of 1973, Section 504, which may be found in U.S. Labor Code, Title 29, Section 794, prohibits discrimination and denial of benefits to handicapped individuals who are under programs or activities that are funded or receive financial assistance from the federal government. Executive Order 12250 requires the U.S. Department of Justice to coordinate governmentwide enforcement of Section 504 by all federal departments that fund or extend financial assistance to any program or activity.

The following departments have established regulations, guidelines or policies that mandate nondiscrimination in the provision of services by federal departments or entities that receive federal funds.

Agency

Federal Register Location Vol #/Pg #/Date Pub.

*ACTION	44	FR	31018	(1979)
*Agency for International Development	45	FR	66414	(1980)
*Civil Aeronautics Board	47	FR	25936	(1982)
*Department of Agriculture	44	FR	4620	(1979)
*Department of Commerce	43	FR	53765	(1978)
*Department of Defense	47	FR	15127	(1982)
*Department of Education	45	FR	30936	(1980)
*Department of Energy	45	FR	40514	(1980)
*Department of Health and Human Services	42	FR	22676	(1977)
Department of Housing and Urban Development	43	FR	16652	(1978)
Department of Interior	45	FR	24074	(1980)
*Department of Justice	45	FR	37620	(1980)
*Department of Labor	45	FR	66706	(1980)
*Department of State	45	FR	69437	(1980)
*Department of Transportation	44	FR	31442	(1979)
*Department of Treasury (Revenue Sharing)	44	FR	77356	(1980)
Environmental Protection Agency	46	FR	11662	(1981)
Equal Employment Opportunity Commission	44	FR	68482	(1979)
*General Services Administration	44	FR	62298	(1979)
Interstate Commerce Commission	43	FR	25152	(1978)
*Legal Services Corporation	44	FR	55175	(1979)
*National Aeronautics and Space Administration	44	FR	52680	(1979)
*National Endowment for the Arts and Humanities	44	FR	22730	(1979)
National Science Foundation	43	FR	16518	(1978)
*Nuclear Regulatory Commission	45	FR	14533	(1980)
*Small Business Administration	44	FR	20067	(1979)
*Tennessee Valley Authority	45	FR	22893	(1980)
*Veteran's Administration	45	FR	63264	(1980)

66

*Indicates federal departments having regulations established as of June 30, 1982. An approximate total of 167 federal departments may establish such regulations.

STATE LAWS/REGULATIONS

Government Code, Article 9.5, Sections 11135-11139.5

These sections mandate comprehensive state civil rights regulations to prohibit discrimination or denial of benefits to persons in the State of California who are under programs or activities that are funded by or receive financial assistance from the state. Discrimination and denial of benefits are prohibited on the basis of ethnic group identification, religion, age, sex, color, or physical or mental disability.

Administrative Code, Title 22, Sections 98000-98413

These sections implement California Government Code Sections 11135-11139.5 and establish standards for determining who is protected and what practices are discriminatory.

For additional laws mandating nondiscrimination in service policies and practices, see Question #7 of this Handbook Section, and the Legal Mandates Section.

- 2. What are some methods to identify and evaluate whether the department's service policies and practices are equitable and nondiscriminatory?
- The Program Access Coordinator may perform all tasks of developing a service policies and practices workplan, conducting an evaluation, and summarizing the results of the evaluation

OR

The Program Access Coordinator may direct the activities of:

Department staff who perform all tasks;

Non-departmental staff who perform all tasks, i.e.,

Members of the community with expertise in service policies and practices;

Consultants from outside state service.

Regardless of who actually performs the tasks there must be assistance and advice from interested persons including handicapped persons or organizations representing handicapped persons. The Program Access Advisory Committee may serve as the resource for this purpose. See Handbook Section on Program Access Advisory Committee.

● 3. What process and major tasks are involved in evaluating a department's service policies and practices and in determining the department's compliance status?

- The following three major steps are involved in identifying and evaluating the fairness of service policies and practices:

a. Develop a service policies and practices evaluation workplan

Identify department program elements that administer services to recipients;

Identify the specific service activities conducted by the department;

Identify service documents;

Identify an order of evaluation;

Identify resources available to make the needed evaluation;

Identify evaluation staff;

Secure review and approval of plan;

Finalize plan;

Advise/orient evaluation staff on roles and responsibilities.

b. Conduct an evaluation

Compare current service policies and practices with existing laws, rules, and policies;

Identify deficiencies;

Identify alternatives to address any deficiencies.

c. Summarize results of evaluations

Determine most appropriate alternatives to address any deficiencies;

Determine approximate time, cost, and appropriate staff.

Indicate the dates of evaluations.

Identify by names, addresses, and telephone numbers the persons who assisted in evaluating and preparing the summary.

4. Which state departments are responsible for the administration, interpretation, adjudication, and/or application of laws, rules, policies, and procedures concerning recipients of state government services or services funded by the state?

● Department of General Services
Legal Offices

The Department of General Services, Legal Offices is responsible for approving the legality of state contracts over \$100,000.

Office of State Architect
Handicapped Law Compliance Unit

This office is responsible for interpretation and enforcement of laws mandating that all building projects receiving state funds be accessible to and usable by people with physical handicaps. Written approval from this office must indicate that plans comply with legal regulations.

Health and Welfare Agency
Office of Statewide Civil Rights Coordination

The Health and Welfare Agency, Office of Statewide Civil Rights Coordination is responsible for the interpretation of Government Code, Article 9.5, Sections 11135-11139.5 to determine what specific actions constitute discrimination and a violation of the law.

With the approval of and in coordination with the Department of Fair Employment and Housing, this agency develops standards and guidelines for implementing the law and assists state departments in developing policies and procedures which assure compliance with legal mandates for nondiscrimination and denial of benefits to persons receiving services under programs funded by the state.

When complaints are filed with this office for alleged discrimination violations, a determination is made as to which agency is most appropriate to investigate or adjudicate the complaint and a referral and follow-up occur.

Fair Employment and Housing Commission

The Fair Employment and Housing Commission (FEHC) is responsible for setting standards and issuing regulations for the enforcement of California civil rights legislation.

The Commission decides each case of discrimination brought before it. If the charge of discrimination is upheld, FEHC issues a legally enforceable order requiring that the unlawful practice cease and remedial action be taken. The decision is subject to judicial review.

FEHC also studies the problems of discrimination, holds open public meetings, develops educational materials, and recommends action to the Department of Fair Employment and Housing.

Department of Fair Employment and Housing

The Department of Fair Employment and Housing (DFEH) is the administering agency for California Civil Rights Laws: 1981 Fair Employment and Housing Act and Unruh and Ralph Civil Rights Acts. These laws prohibit discrimination in employment, housing, services and public accommodations based on race, religious creed, national origin, ancestry, medical condition (cancer-related), marital status, sex and age. Discrimination based on physical handicap is illegal in employment.

The main job of DFEH is to receive, investigate and conciliate complaints of discrimination.

DFEH monitors nondiscrimination/affirmative action programs for employees of private industry, public service and agencies which contract with the State of California. It also assists in resolving discrimination-related disputes or difficulties throughout the state and provides an ongoing public information program.

DFEH has the following divisions:

Division of Management Programs and Administration

Legal Division

Division of Field Operations

● 5. What publications summarize service provision regulations and policies?

- Program Access Master Planning Guide, published by the Office of Statewide Compliance Coordination, is a standardized approach to developing a master plan to ensure that people with disabilities who are recipients of state services are provided equal opportunity and fair treatment. It outlines a six-step process to evaluate a department's compliance status with state and federal laws on nondiscrimination and to establish a plan to effect any needed changes to the department's policies, practices, or architectural access of facilities.

Guidelines on Program Accessibility for Persons with Disabilities, published by the Office of Statewide Compliance Coordination, establishes criteria and provides direction to state departments on compliance with state and federal laws concerning the accessibility of state programs and activities to persons with disabilities.

Program Accessibility Training for Trainers Manual, published by the Office of Statewide Compliance Coordination, provides a step-by-step process for professional trainers to train program access coordinators on program management responsibilities.

Fair Employment and Housing Act, Unruh and Ralph Civil Rights Act and Related California Statutes, published by the Department of Fair Employment and Housing, contains the 1981 amended form of California statutes which are especially relevant to service policies and practices in the area of nondiscrimination in public accommodation.

A Summary of Selected Legislation Relating to the Handicapped is a pamphlet published by the Office of Handicapped Individuals which contains summaries of legislation affecting people with handicaps which was enacted during the 95th Congress.

Pocket Guide to Federal Help for the Disabled Person, a pamphlet published by the Office of Handicapped Individuals, outlines the variety and general scope of federal support for programs and services for the disabled.

● 6. How can a Program Access Coordinator find out the department's process for recommending and implementing policy changes that will assure nondiscrimination and access to service programs and activities?

- The State Administrative Manual, published by the Department of Finance, contains information about the existing

system and methods for making changes in specific areas of service policies and practices. A department's Administrative Services Office and Executive Office are good resources for information about the department's system for recommending changes in the area of service policies and practices.

Most departments prefer a written recommendation which includes:

The issue or problem: Identification of the problem and history of the case;

Variety of possible solutions or options;

Recommended method and solution for resolving the problem;

Recommended time frame for implementing the modifications;

Personnel who need to be involved in resolving or implementing recommended changes.

● 7. What resources are available to provide information on specific issues related to the provision of services for people with handicaps?

● a. CALIFORNIA STATE DEPARTMENTS

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
Department Evaluation of Service Policies and Practices	Office of Statewide Compliance Coordination	Information on various methods and tools available to evaluate a state department's service policies and practices.
Eligibility Standards	Department of Rehabilitation Department of Social Services Independent Living Centers Department of Health Services Eligibility Branch	Information on model policies and methods for determining non-discriminatory eligibility standards.

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
Auxiliary Aids/ Support Services	Department of Rehabilitation Mobility and Communication Barriers Section Services to Deaf Persons Services to Blind Persons Department of Social Services State Council on Developmental Disabilities Regional Centers on Developmental Disabilities Area Boards on Developmental Disabilities State Personnel Board Affirmative Action for the Disabled Unit Department of Developmental Services	Information and/or counseling to individuals and governmental and private agencies on the type of accommodations, such as specialized equipment aids and devices that are available to facilitate building accessibility and the employment and independent living potential of disabled persons.
Civil Rights	Office of Administrative Law Health and Welfare Agency Office of State-wide Civil Rights Coordination Department of Fair Employment and Housing Compliance Branch Department of Justice Civil Law Section	Information regarding legal mandates, policies and methods to provide nondiscriminatory practices to handicapped recipients of state services.
Administrative Procedures for Service Policies and Practices	Department of Finance	Publishes <u>State Administrative Manual</u> which contains California State service policies and practices in the areas of: Public Works Contracts Blind Industries Products Claims Against the State Bids

<u>Topic</u>	<u>Sources</u>	<u>Information</u>
Transportation	Department of General Services Fleet Administration Division Department of Transportation	Information on state regulations and policies mandating non-discriminatory procedures in transportation systems and devices operated at state expense.
Licensing	Department of Consumer Affairs Department of Health Services Licensing and Certification Division Department of Motor Vehicles Division of Compliance Firm Licensing Unit Individual Licensing Unit	Information on legal mandates, policies and methods to provide nondiscrimination in preregistration, registration, pre-licensing, and licensing.
Filing Complaints	Department of Consumer Affairs Consumer Services Division Consumer Complaints Unit Department of General Services Office of Administrative Hearings Department of Justice Department of Industrial Relations Labor Standards Enforcement Division Health and Welfare Agency Office of Statewide Civil Rights Coordination Department of Fair Employment and Housing Fair Employment and Housing Commission	Information on legal mandates, policies and methods by which service recipients can file discrimination grievance complaints.

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
Training	Department of Personnel Administration Management and Administration Services Department of Education Special Education	Information on policies and methods for provision of training in specially integrated, nondiscriminatory settings.
Community Relations	Department of Economics and Business Development Office of Small Business Development Office of Tourism Office of International Trade Department of Developmental Services Community Services Division Department of Housing and Community Development Department of Aging	Information on policies and methods for nondiscriminatory practices in community relations.

b. DEPARTMENTAL OFFICES

<u>Sources</u>	<u>Information</u>
Administrative Services/ Business Services Office Program Access Coordinator Disabled Advisory Committee Executive Officer Affirmative Action Office Personnel Office	Technical assistance and information on laws and policies. Creative and cost efficient methods for providing nondiscriminatory service policies and practices.

c. LAWS

The following state and federal laws mandate nondiscriminatory services policies and practices. For explanations of these laws and information on additional related laws, see Legal Mandates Section of this Handbook.

STATE LAWSSERVICES: Companion ProgramsWelfare & Institutions Code SS 9521-9524 - Senior Companion ProgramWelfare & Institutions Code SS 9540-9544 - Foster Grandparent ProgramSERVICES: Drivers LicensesVehicle Code S 11110 - Cancellation or Suspension of LicensesVehicle Code S 12806 - Grounds Not Requiring Refusal of LicenseSERVICES: Gas and ElectricityPublic Utilities Code S 453 - Discrimination in RatesPublic Utilities Code S 739 - Gas and Electricity Energy LifelineSERVICES: Contract ReliefCivil Code S 1812.57 - Dance LessonsCivil Code S 1812.89 - Health StudiosSERVICES: Independent Living CentersWelfare & Institutions Code S 19800 - State PolicyWelfare & Institutions Code S 19801 - Nature; Control; Staff; ServiceWelfare & Institutions Code S 19804 - Affiliation with Residential Living CentersSERVICES: Mentally Ill Minors Aftercare PlanWelfare & Institutions Code S 5020.1 - Mentally Ill MinorsSERVICES: Insurance: AutomobileInsurance Code S 11580.1 - Required Policy ProvisionInsurance Code S 11628.5 - DiscriminationSERVICES: Insurance: Credit DisabilityInsurance Code S 779.28 - Validity of Chiropractor's Certification of DisabilitySERVICES: Insurance: Health InsuranceHealth & Safety Code S 1367.8 - Insurance for the Physically and Mentally ImpairedInsurance Code S 10122.1 - Group Disability PoliciesSERVICES: InterpretersEvidence Code S 754 - Interpreters for the DeafWelfare & Institutions Code S 19013.5 - Special Language Assistance

ASSISTIVE DEVICES/SUPPORT SYSTEMS: Zoos and Wild
Animal Parks

Civil Code SS 33, 54.7, 55, 55.1 - Access to Zoos
and Wild Animal Parks

ELECTIONS: Inability to Go to the Polls

Elections Code S 1017 - Inability of Voters to Go to
the Polls after Final Day for Applying for Absentee
Ballots

EMPLOYMENT: Manpower Programs

Unemployment Insurance Code S 9003 - Manpower Programs

EMPLOYMENT: Inmates Referral

Penal Code S 5069 - Referral of Injured Inmates

HEALTH AND SAFETY: Protective Services

Welfare & Institutions Code S 10001 - Purposes of
Public Social Services

FEDERAL LAWS

SERVICES: Rehabilitation Services

Labor (U.S.C. 29) S 41a - Grants for Construction

Labor (U.S.C. 29) S 771 - Grants for Construction
or Staffing of Rehabilitation Facilities

Labor (U.S.C. 29) S 42a - National Center for Deaf-
Blind Youths and Adults

Labor (U.S.C. 29) S 709 - Audit and Examination of
Records

Labor (U.S.C. 29) S 714 - Information Clearinghouse

Labor (U.S.C. 29) S 732 - Client Assistance Projects

Labor (U.S.C. 29) SS 760-762 - National Institute of
Handicapped Research

Labor (U.S.C. 29) S 773 - Loan Guarantees for Rehabil-
itation Facilities

Labor (U.S.C. 29) S 774 - Training of Personnel

Labor (U.S.C. 29) S 775 - Comprehensive Rehabilitation
Centers

Labor (U.S.C. 29) S 777a - Special Demonstration Programs

Public Health & Welfare (U.S.C. 42) S 801 et seq. -
Grants to States for Services to Aged, Blind, or
Disabled

Public Health & Welfare (U.S.C. 42) S 6061 et seq. -
Grants for Individuals with Developmental Disabilities

SERVICES: Medical Services

Armed Forces (U.S.C. 10) S 1079 - Contracts for Medical
Care for Spouses and Children

Public Health & Welfare (U.S.C. 42) S 701 et seq. -
Appropriations to States for Crippled Children's
Services

Public Health & Welfare (U.S.C. 42) S 1386 - Grants
to States for Medical Assistance Programs

SERVICES: Food Service
Public Health & Welfare (U.S.C. 42) S 1761 - Summer
Food Service Programs for Children in Service
Institutions

SERVICES: Library Service
Education (U.S.C. 20) SS 351-354 - Library Services

SERVICES: Library of Congress
Education (U.S.C. 20) S 135a - Books and Records for
Blind and Other Physically Handicapped Persons
Education (U.S.C. 20) S 135a-1 - Library of Musical
Scores

SERVICES: Postal Services
Postal Services (U.S.C. 39) S 3403 - Free Mail for
Blind and Handicapped Persons
Postal Services (U.S.C. 39) S 3404 - Unsealed Letters
Postal Services (U.S.C. 39) S 3405 - Markings

SERVICES: Reader/Interpreter Services
Labor (U.S.C. 29) S 777d - Reader Services for the
Blind
Labor (U.S.C. 29) S 777e - Interpreter Services for
Deaf Persons

SERVICES: Social Security
Public Health & Welfare (U.S.C. 42) S 421 - State
Agencies Determining Disability
Public Health & Welfare (U.S.C. 42) S 422 - Referral
for Rehabilitation Services
Public Welfare (45 C.F.R.) S 233.10 et seq. - Condi-
tions of Eligibility in Social Security Financial
Assistance Programs

SERVICES: Vocational Rehabilitation Services
Labor (U.S.C. 29) SS 750-751 - American Indian Voca-
tional Rehabilitation Services Grants
 SEE: EMPLOYMENT: Vocational Rehabilitation

SERVICES: National Council
Labor (U.S.C. 29) SS 780-785 - National Council on
the Handicapped

d. PUBLICATIONS

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Bids	5205-15
Blind Industries Products	3504.1
Claims Against the State	2561-64

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Program Accessibility Training for Trainers Manual. Office of Statewide Compliance Coordination, Sacramento, CA, January, 1983 (Second Edition).



SERVICE RECIPIENT ACCOMMODATION

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SERVICE RECIPIENT ACCOMMODATION

Definition

Service recipient accommodation is an adjustment to service delivery methods and/or settings to meet the individualized needs of a disabled applicant or candidate for services or a service recipient. It includes changes in service policies and practices and/or provision of specialized equipment. Service recipient accommodation removes, on a case-by-case basis, barriers which prevent or limit equal opportunity and fair treatment in such areas as eligibility and admissions standards and requirements, preregistration, registration, prelicensing, and licensing methods.

Role of Program Access Coordinator

Be aware of regulations and policies concerned with service recipient accommodation.

May serve as a consultant to department administration and staff on the review and approval of providing service recipient accommodation requests.

QUESTIONS

●1. Are departments required to have a policy on receiving requests and providing service recipient accommodation?

- Yes, each department is to have an established policy and process for determining and providing service recipient accommodation for individuals with disabilities.

●2. What are some examples of a service recipient accommodation to allow equal participation in programs and activities in a specific situation for an individual with disabilities?

● a. Service Restructuring:

- Counseling
- Client service specifications
- Transfers
- Reinstatements
- Compensation
- Benefits
- Client assessment systems
- Service termination procedures
- Department sponsored activities

b. Support Service Accommodations:

- Readers
- Markers
- Interpreters

c. Special Testing Arrangements:

- Test administration methods
- Exam format and/or time frame
- Practical examination of skills

d. Equipment Accommodations:

Writing Aids

- Braille typewriter
- Braille writer
- Cassette recorder
- Dictation equipment
- Line spacer
- Magnetic ruler
- Mouth sticks
- Slate and stylus
- Talking calculator

Speaking Aids

- Loudspeaker/amplifier
- Microphone
- Teletypewriting devices

Visual Aids

- Closed circuit television
- Image Sensing Devices
- Magnification devices

Reading Aids

- Book stands
- Cantilevered table
- Page turner
- Magnifying glasses
- Projector
- Taped/recorded materials

Reaching/Grasping Aids

- Tongs
- Knobs
- Lever handles
- Switches

Hearing Aids

- Amplifier
- Earphones
- Headset
- Teletypewriting devices

e. Architectural Accommodations:

Doorways and Entrance Doors

- Widened
- Automatic

Fixtures

Dispensers
Drinking fountains
Electrical switches
Elevator panels
Files
Public telephones
Shelves and counter tops

Paths of Travel

Elevators
Handrails
Ramps
Parking
Walkways

● 3. What laws and regulations mandate service recipient accommodation?

● FEDERAL REGULATIONS

The following federal departments have established regulations, guidelines, or policies that mandate non-discrimination to service recipients with disabilities by federal departments or entities that receive federal funds:

Agency	Federal Register Location			
	Vol	#/Pg	#/Date	Pub.
*ACTION	44	FR	31018	(1979)
*Agency for International Development	45	FR	66414	(1980)
*Civil Aeronautics Board	47	FR	25936	(1982)
*Department of Agriculture	44	FR	4620	(1979)
*Department of Commerce	43	FR	53765	(1978)
*Department of Defense	47	FR	15127	(1982)
*Department of Education	45	FR	30936	(1980)
*Department of Energy	45	FR	40514	(1980)
*Department of Health and Human Services	42	FR	22676	(1977)
Department of Housing and Urban Development	43	FR	16652	(1978)
Department of Interior	45	FR	24074	(1980)
*Department of Justice	45	FR	37620	(1980)
*Department of Labor	45	FR	66706	(1980)
*Department of State	45	FR	69437	(1980)
*Department of Transportation	44	FR	31442	(1979)
•• Department of Treasury (Revenue Sharing)	44	FR	77356	1980
Environmental Protection Agency	46	FR	11662	(1981)
Equal Employment Opportunity Commission	44	FR	68482	(1979)
*General Services Administration	44	FR	62298	(1979)
Interstate Commerce Commission	43	FR	25152	(1978)
*Legal Services Corporation	44	FR	55175	(1979)
*National Aeronautics and Space Administration	44	FR	52680	(1979)
•• National Endowment for the Arts and Humanities	44	FR	22730	(1979)
National Science Foundation	43	FR	16518	(1978)
*Nuclear Regulatory Commission	45	FR	14533	(1980)
*Small Business Administration	44	FR	20067	(1979)
*Tennessee Valley Authority	45	FR	22893	(1980)
*Veteran's Administration	45	FR	63264	(1980)

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*Indicates federal departments having regulations established as of June 30, 1982. An approximate total of 167 federal departments may establish such regulations.

•• These federal department regulations contain detailed information on methods to comply with the program accessibility requirements for service recipients and mentions specific ways of making programs accessible.

STATE LAWS/REGULATIONS

Government Code Article 9.5, Sections 11135-11139.5

These sections mandate comprehensive state civil rights regulations that prohibit discrimination or denial of benefits to persons in the state of California who are under programs or activities that are funded or receive financial assistance from the state. Discrimination and denial of benefits are prohibited on the basis of ethnic group identification, religion, age, sex, color, or physical or mental disability.

Administrative Code Sections, Title 22, 98000-98413

These sections implement California Government Code Sections 11135-11139.5 and establish standards for determining who is protected and guidelines for determining what practices are discriminatory. Sections 98254-98255 include methods of ensuring program accessibility.

For additional laws mandating service recipient accommodation, see Question #11 of this Handbook Section.

●4. Who may make a request for service recipient accommodation?

- Any disabled applicant or candidate for services or service recipient, or their representative, may make a request.

●5. What are the roles and responsibilities of individuals requesting service recipient accommodation and the department staff who review the requests?

●Applicants/Candidates for Services or Service Recipients

Provide as much information as possible on: (1) type of accommodation needed, (2) availability of accommodation, (3) benefit of accommodation to providing discrimination and equal opportunity in receipt of services.

Be knowledgeable about information regarding most useful and helpful types of accommodation to meet the needs of this current situation.

Departmental Request Reviewers

Gain knowledge and information about: (1) various types of accommodation for individual service recipients' special needs, (2) availability of accommodation, (3) benefit of accommodation to providing nondiscrimination and equal opportunity in receipt of services, (4) alternative types of accommodation to meet the specific situation.

Involve the applicant or candidate for services or service recipient in identifying his/her special needs related to receiving services and in determining which modification is most appropriate.

● 6. What is a method for submitting and reviewing service recipient accommodation requests?

- A procedure for submitting and reviewing service recipient accommodation requests is outlined in the following chart.

Service Recipient Accommodation Request Procedure

Major steps in submitting and reviewing reasonable accommodations requests	Request Status				Review Action
	Within reviewer's authority/responsibility	Approved	Denied/Appealed	No Action	
1. The applicant/candidate or service recipient makes a request for service accommodation.					Initiates request and submits it to the manager.
2. Request review process a. Manager Reviews the request for type of request and approval level required.	X	X			If within the manager/reviewer's area of authority and request is approved, the manager/reviewer initiates action to implement the request and advises the applicant/candidate or service recipient.
				X	If not within area of authority, the manager/reviewer advises applicant/candidate or service recipient that his/her request is being sent to the division chief.
			X		If the request is denied, the manager/reviewer provides applicant/candidate or service recipient with a copy of request including rationale for denial, the options to appeal, and the appeal process.
				X	If no response and no decision within 10 days of the initial request, the applicant/candidate or service recipient may appeal for action to require a decision. He/she may advise the manager/reviewer and submit a request for action to the department director or agency which is over the particular department. If the Department is not under an agency, the request may be submitted to the Governor's Office.
b. Division Chief Reviews the request for type of request and approval level required.	X	X			If the request is approved, the division chief/reviewer advises the manager and sends copies of approved request to the manager/reviewer. The manager advises the applicant/candidate or service recipient and implements the accommodation.
				X	If not within the division chief's area of authority, the division chief advises the manager that the request is being sent to the director. The manager advises the applicant/candidate or service recipient.
	X		X		If request is denied, the division chief provides the applicant/candidate or service recipient and the manager/reviewer with copies of request including rationale for denial. The manager/reviewer advises the applicant/candidate or service recipient of reasons for the denial and provides information on his/her right to appeal to the department director or agency that is over that particular department. If the department is not under an agency, the request may be submitted to the Governor's Office.
				X	If no response and no decision within 10 days of the initial request, the applicant/candidate or service recipient may appeal for action. The applicant/candidate or service recipient may advise the manager/reviewer and submit a request for action to the department director or agency that is over that particular department. If the department is not under an agency, the request may be submitted to the Governor's Office.

Service Recipient Accommodation Request Procedure

Major steps in submitting and reviewing service recipient accommodation requests	Request Status				Review Action
	Within reviewer's authority/responsibility	Approved	Denied/Appealed	No Action	
b. Division Chief (continued)		X			If the request is approved, the director advises the division chief and manager. The division chief sends copies of the approved request to all, including the Personnel Office. The manager advises the employer and implements the accommodation.
c. Director Reviews for approval/denial	X		X		If request is denied, the director advises the division chief and the manager/reviewer. The manager/reviewer provides all with copies of denied request and advises the applicant/candidate or service recipient of reasons for the denial and of the appeal process. If the applicant/candidate or service recipient appeals, he/she advises the manager/reviewer and submits an appeal to the agency that is over the department. If the department is not under an agency the request may be submitted to the Governor's Office.
				X	If no response and no decision within 10 days of the initial request, the applicant/candidate or service recipient may appeal for action to require a decision. The applicant/candidate or service recipient may advise the manager/reviewer and submit a request for action to the agency that is over the department. If the department is not under an agency, the request may be submitted to the Governor's Office.
3. Agency/Governor's Office Appeal Resolution Process Agency/Governor's Office may require an investigation of the appeal, facilitates departmental resolutions, and renders decision.			X	X	Agency over the department, or if none, Governor's Office requires an investigation of the appeal and initiates action to facilitate resolution. If not informally resolved within 10 working days of the receipt of the appeal, Agency/Governor's Office may: 1. Extend the time frame for resolution if sufficient progress warrants the extension. 2. Render a decision 3. Institute and coordinate a hearing with the Office of Administrative Hearings.
4. Office of Administrative Hearings Process Office of Administrative Hearings presides over hearing on appeals and renders a decision.			X	X	The Office of Administrative Hearings may schedule, organize and coordinate a hearing on the appeal with the department and/or Agency/Governor's Office.

● 7. What information should be included on a request for service recipient accommodation?

- A description of the individualized need for accommodation in order to accomplish or participate in a specific activity or program must be included.

If it is a purchasable item the request should include:

Price and supplier of accommodation;

Resources for obtaining the accommodation.

When appropriate and practical the request should also include:

Alternative types of accommodations considered and sources that were used to arrive at these alternatives;

The time frame within which each accommodation can be provided.

● 8. What are some of the criteria to be considered in identifying an appropriate service recipient accommodation?

- Each situation is to be approached on an individual basis giving consideration to a variety of options which would enable an individual with disabilities to effectively participate in programs and activities and to receive services.

In order to be considered a service recipient accommodation, the modification must be determined based on the individual's needs and abilities, the essential parameters and characteristics of the services, the environment in which the services are delivered, and the applicability of the proposed accommodation.

The applicant or candidate for services or the service recipient is to participate in determining which accommodation is most appropriate.

The nature and benefit of a particular accommodation may be clarified by considering questions such as the following:

What, if any, accommodations are necessary to enable the individual with disabilities to receive these services?

What alternative procedures, methods, and auxiliary aids are available to facilitate delivering and receiving services?

Can the accommodation presently or in the future benefit other applicants/candidates for service or service recipients? How?

How will the accommodation affect the delivery and receipt of services?

How soon is the accommodation required?

How long will it take to obtain the accommodation?

Who would obtain the accommodation?

Is training in the use of the modification appropriate?

Who should receive the training?

Who should provide the training?

● 9. What information should be included in a request for an appeal?

● The request for an appeal must include:

A description of the individualized need for accommodation in order to accomplish or participate in a specific activity;

A description of the requested accommodation;

Levels of review request has received, date of initial request, and lapsed time frame since initial request;

Rationale for department denial or inaction;

Alternative types of accommodations considered;

Sources used to arrive at these alternatives;

When appropriate and practical include:

Time frame within which each accommodation can be provided;

Price and supplier of accommodation;

The overall size of the department (number of employees, number of service recipients, size and type of facilities, size of budget), and the type of program operation, including composition and structure of work force.

● 10. How can a Program Access Coordinator find out the department's process for requesting necessary modifications?

- A department's Administrative Services Offices, Personnel Offices, and Executive Officer, as well as the department's policy and procedural manual, are all good resources for obtaining information for identifying the department policy and process for receiving and reviewing requests for a service recipient accommodation.

● 11. What resources are available to provide information on issues related to service provision adjustment.

● a. CALIFORNIA STATE DEPARTMENTS:

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
Laws and Policies	Department of Consumer Affairs	Information on legal mandates, policies and methods to provide non-discrimination in pre-registration, registration, preclicensing and licensing.
	State Personnel Board Public Employment and Affirmative Action Division Affirmative Action for the Disabled Unit	Information on legal mandates, policies, and methods applicable to affirmative action and nondiscrimination in state government employment for people with disabilities. This information may be generalized to service recipient accommodation and provides a rationale for justifying types of accommodations.

TopicsSourcesInformation

Auxiliary Aids/
Support Ser-
vices

Department of Fair Em-
ployment and Housing

Information on nondis-
crimination programs
in all public works
contracts. Publica-
tions to promote equal
opportunity and the
elimination of unlawful
discrimination.

Department of Rehabili-
tation

Mobility and Communi-
cation Barriers Sec-
tion

Services to Deaf
Persons

Services to Blind
Persons

Department of Social
Services

Department of Develop-
mental Services

Department of Aging

State Council on De-
velopmental Disabilities

Regional Centers on De-
velopmental Disabilities

Area Boards on Develop-
mental Disabilities

State Personnel Board

Affirmative Action for
the Disabled Unit

Information to individ-
uals and governmental
and private agencies
on specialized equip-
ment, aids and devices
that are available to
facilitate independent
living potential, ar-
chitectural accessi-
bility and employment
for people with disa-
bilities.

Department of General
Services

Fleet Administration
Division

Information regarding
modifications to ve-
hicles so that they are
adaptable and access-
ible for people with
mobility impairments.

Office of Procurement

Information regarding
the availability and
procurement of some
specialized equipment/
auxiliary aids.

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
Technical Assistance	Office of Statewide Compliance Coordination	Information on the various tools and methods available to facilitate compliance of state departments with federal and state legislation relating to efficient, cost-effective, nondiscriminatory service policies and practices.

b. DEPARTMENTAL OFFICES:

<u>Sources</u>	<u>Information</u>
Administrative Services/ Business Services Office Personnel Office Affirmative Action Office Disabled Advisory Committee Program Access Coordinator Executive Officer	Technical assistance and information on laws and policies. Creative and cost efficient methods and resources for providing service recipient accommodation.

c. LAWS:

The following state and federal laws mandate service recipient accommodation. For explanations of these laws and information on additional related laws, see Legal Mandates Section of this Handbook.

1) STATE

ASSISTIVE DEVICES/SUPPORT SYSTEMS: Guide and Service Dogs--
Public Places

Civil Code S 54.2-54.3 - Guide and Service Dogs Right to
Accompany Handicapped and Blind Persons

ASSISTIVE DEVICES/SUPPORT SYSTEMS: Tax Exemptions for Modifying Vehicles

Revenue: Taxation 6369.4 - Tax Exemptions for Modifying
Vehicles to Create Access

ASSISTIVE DEVICES/SUPPORT SYSTEMS: Warranties

Civil Code S 1791, 1791.1 - Consumer Warranties for
Assistive Devices

ASSISTIVE DEVICES/SUPPORT SYSTEMS: Zoos and Wild Animal
Parks

Civil Code S 54.7, 55, 55.1 - Access to Zoos and Wild
Animal Parks

CIVIL RIGHTS: Remedies for Discrimination Violations

Administrative Code Title 22, SS 98000-98413 - Implementation
Standards and Guidelines

ELECTIONS: Access by Physically Handicapped
Elections Code S 14234 - Aid to Disabled Voters

SERVICES: Interpreters
Evidence Code S 754 - Interpreters for the Deaf

SERVICES: Interpreters
Welfare and Institutions Code S 19013.5 - Special
Language Assistance

2) FEDERAL

HOUSING: Veterans
Veterans' Benefits (U.S.C. 38) S 801 - Specially Adapted
Housing for Disabled Veterans

SERVICES: Rehabilitation Services
Labor (U.S.C. 29) SS 760-762 - National Institute of
Handicapped Research

SERVICES: Reader/Interpreter Services
Labor (U.S.C. 29) S 777d - Reader Services for the Blind
Labor (U.S.C. 29) S 888e - Interpreter Services for Leaf
Persons

d. POLICIES

Guidelines on Program Accessibility for Persons with Disa-
bilities, published by the Office of Statewide Compliance
Coordination, establishes criteria and provides direction
to state departments on compliance with state and federal
laws concerning the accessibility of state programs for
persons with disabilities. It includes specific information
and considerations on establishing policies and procedures
for service recipient accommodation by California state
departments.

e. PUBLICATIONS:

Program Access Master Planning Guide, published by the
Office of Statewide Compliance Coordination, is a standard-
ized approach to developing a master plan to ensure that
people with disabilities who are recipients of state ser-
vices are provided equal opportunity and fair treatment.
It outlines a six-step process to evaluate a department's
compliance status with state and federal laws on nondis-
crimination and establishes a plan to effect any needed
changes to the department policies, practices, or architec-
tural access of facilities. This publication contains spe-
cific information on providing accommodation on an individual

basis for handicapped applicants and candidates for services and service recipients in the areas of training arrangements, specialized equipment, facility design, and support services.

American Foundation for the Blind. Environmental Modifications for the Visually Impaired. New York, NY, 1971.

American Foundation for the Blind. International Guide to Aids and Appliances for Blind and Visually Impaired Persons. New York, NY, 1977.

American Foundation for the Blind. Recommended Aids for the Partially Sighted. New York, NY, 1971.

Ohio Rehabilitation Services Commission. Handbook on Reasonable Accommodations. Section 504 Technical Assistance Unit, Columbus, Ohio, September, 1981.

Reading, Writing, and Other Communication Aids for Visually and Physically Handicapped Persons: Reference Circular. National Library Services for the Blind and Physically Handicapped. Washington, D.C., 1978.

Veterans Administration Office of Construction. Accommodation for the Physcially Handicapped: Veterans Administration Construction Standard DC-28. Washington, D.C., 1973.

Program Accessibility Training for Trainers Manual. Office of Statewide Compliance Coordination, Sacramento, CA, January, 1983, (Second Edition).

H

ARCHITECTURAL ACCESS

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ARCHITECTURAL ACCESS

Definition

Architectural access is the combination of a facility's construction and design which allows entry and use by people with physical and sensory handicaps.

Role of Program Access Coordinator

Be aware of architectural regulations and model standards concerning access to state and public facilities.

Direct the evaluation of the department's policies and practices concerning nondiscrimination and fair treatment in the architectural accessibility to programs and activities provided by the department.

May serve as a consultant to the department's business services, administrative services, and executive staff on architectural accessibility of facilities owned, leased, or used by the department.

QUESTIONS

1. What laws and regulations require an evaluation of architectural access?

● FEDERAL LAWS/REGULATIONS

The Federal Rehabilitation Act of 1973, Section 504, which may be found in U.S. Labor Code, Title 29, Section 794, prohibits discrimination and denial of benefits to handicapped individuals who are under programs or activities that are funded or receive financial assistance from the federal government. Executive Order 12250 requires the U.S. Department of Justice to coordinate governmentwide enforcement of Section 504 by all federal departments that fund or extend financial assistance to any program or activity.

The following federal departments have established regulations, guidelines, or policies that mandate architectural access:

<u>Agency</u>	<u>Federal Register Location</u> <u>Vol #/Pg #/Date Pub.</u>
*ACTION	44 FR 31018 (1979)
*Agency for International Development	45 FR 86414 (1980)
*Civil Aeronautics Board	47 FR 25936 (1982)
*Department of Agriculture	44 FR 4620 (1979)
*Department of Commerce	43 FR 53765 (1978)
*Department of Defense	47 FR 15127 (1982)
*Department of Education	45 FR 30936 (1980)
*Department of Energy	45 FR 40514 (1980)
*Department of Health and Human Services	42 FR 22676 (1977)
Department of Housing and Urban Development	43 FR 16652 (1978)
Department of Interior	45 FR 24074 (1980)
*Department of Justice	45 FR 37620 (1980)
*Department of Labor	45 FR 66706 (1980)
*Department of State	45 FR 69437 (1980)
*Department of Transportation	44 FR 31442 (1979)
*Department of Treasury (Revenue Sharing)	44 FR 77356 (1980)
Environmental Protection Agency	46 FR 11662 (1981)
Equal Employment Opportunity Commission	44 FR 68482 (1979)
*General Services Administration	44 FR 62298 (1979)
Interstate Commerce Commission	43 FR 25152 (1978)
*Legal Services Corporation	44 FR 55175 (1979)
*National Aeronautics and Space Administration	44 FR 52680 (1979)
*National Endowment for the Arts and Humanities	44 FR 22730 (1979)
National Science Foundation	43 FR 16518 (1978)
*Nuclear Regulatory Commission	45 FR 14533 (1980)
*Small Business Administration	44 FR 20067 (1979)
*Tennessee Valley Authority	45 FR 22893 (1980)
*Veteran's Administration	45 FR 63264 (1980)

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* Indicates federal departments having regulations established as of June 30, 1982. An approximate total of 167 departments may establish such regulations.

STATE LAWS

Administrative Code, Title 22, Sections 98000-98413

These sections implement California Government Code Sections 11135-11139.5 and establish standards for determining who is protected and guidelines for determining what practices are discriminatory. Sections 98255-98262 include provisions for architectural access.

For additional laws mandating architectural access to facilities, see Question #8 of this Handbook Section.

● 2. What methods can be used to identify and evaluate the status of a department's architectural accessibility?

- The Program Access Coordinator may perform all tasks of developing an architectural access workplan, conducting an evaluation, and summarizing the results of the evaluation

OR

The Program Access Coordinator may direct the activities of:

Department staff who perform all tasks;

Non-departmental staff who perform all tasks, i.e.,

Members of the community with expertise in architectural access to facilities;

Consultants from outside state service.

Regardless of who actually performs the tasks, there must be assistance and advice from interested persons including handicapped persons or organizations representing handicapped persons. The Program Access Advisory Committee may serve as the resource for this purpose. See Program Access Advisory Committee Section of this Handbook.

● 3. What process and major tasks are involved in evaluating the architectural accessibility of department programs and activities?

- The following three major steps are involved in identifying and evaluating the fairness of architectural accessibility:

a. Develop an architectural access evaluation workplan

Identify department facilities that are to be assessed;

Identify the department's facility-leasing activities and responsibilities;

Identify an order of evaluation;

Identify resources available to make needed evaluations;

Identify evaluation staff;

Secure review and approval of plan;

Finalize plan;

Advise/orient evaluation staff on roles and responsibilities.

b. Conduct an evaluation

Compare current architectural accessibility of facilities to existing laws, rules, and policies;

Identify deficiencies;

Identify alternatives to address deficiencies.

c. Summarize results of evaluation

Determine most appropriate alternatives to address deficiencies;

Determine approximate time, cost, and appropriate staff.

Indicate the dates of the evaluations.

Identify by names, addresses, and telephone numbers the persons who assisted in conducting the evaluation and preparing the summary.

● 4. What are the most significant departments that are responsible for administration, interpretation, adjudication, and/or application of laws, regulations, rules, policies, and procedures concerning architectural access?

FEDERAL

● Architectural and Transportation Barriers Compliance Board

The Architectural and Transportation Barriers Compliance Board (ATBCB) is the federal agency created by Congress in the Rehabilitation Act of 1973, Title V, Section 502, to enforce the Architectural Barriers Act of 1968, PL 90-480. This act guarantees handicapped individuals access to and use of all facilities altered, built, designed or leased in whole or in part by the federal government after August 12, 1968. ATBCB has published, "Minimum Guidelines and Requirements for Accessible Design," which provides a basis for the issuance of consistent and improved accessibility standards by four federal standard-setting agencies: General Services Administration (GSA); Department of Defense (DOD); Department of Housing and Urban Development (HUD); and United States Postal Service (USPS).

General Services Administration

The General Services Administration (GSA) establishes policy and provides for the government an economical and efficient system for the management of its property and records, including construction and operation of buildings, procurement and distribution of supplies, utilization and disposal of property, transportation, traffic, communications management, stockpiling of strategic materials, and the management of the governmentwide automatic data processing resources program. Except for the Department of Defense, U.S. Postal Service, and the Department of Housing and Urban Development, which set their own standards, GSA sets minimum accessibility standards for 72 federal agencies on federally owned, leased, or funded facilities.

Department of Housing and Urban Development

The Department of Housing and Urban Development (HUD) is the principal federal agency responsible for developing guidelines and standards for programs concerned with housing needs, fair housing opportunities, and community improvement and development. HUD administers standards on architectural design and construction of federally funded housing projects.

United States Postal Service

The United States Postal Service (USPS) issues standards governing architectural access to federally owned, leased, or financed facilities which house its branch offices and related services. USPS is concerned with investigation and protection of property and internal conditions, and handling information and complaints related to this.

Department of Defense

The Department of Defense (DOD) issues architectural standards and guidelines for access to federally owned, leased, or financed installations of the nation's defense agencies including housing of personnel (when appropriate) and medical facilities.

STATE

State Building Standards Commission

The State Building Standards Commission (SBSC) reviews, approves, and hears appeals on the State Building Standards Codes. The Commission assures that state building standards are in conformance with nationally accepted standards, are in the public interest, and are cost effective. SBSC reviews building regulations promulgated by various state agencies for conflicts, overlap, duplication, nomenclature, and arrangement.

Department of General Services

The Department of General Services (DGS) provides information on the procurement process for equipment accommodation and on the laws and ordinances regarding architectural accessibility. DGS is also the authority that coordinates, reviews, and/or approves departmental use and acquisition of office space and equipment and determines the parameters and modes of employee travel. Three of DGS's key divisions are:

Office of the State Architect

The Office of the State Architect (OSA) promulgates changes to California Government Code, Title 24, and is responsible for the interpretation, implementation, and enforcement of these regulations. Additionally, OSA has enforcement responsibility on the accessibility by people with handicaps to all publicly funded buildings and facilities constructed with state funds, and elementary and secondary schools and community colleges where funds of counties, municipalities, or other political subdivisions are used.

Space Management Division

The Space Management Division provides negotiating and contracting services to obtain or make alterations for new and leased space that is owned or leased by the state. It interprets and applies state architectural laws in the design, alteration, and construction of state owned and leased space.

Fleet Administration Division

The Fleet Administration Division ensures that transportation systems and devices operated at state expense and/or for state employees comply with state regulations, policies, and procedures.

Office of Fire Marshal

The Office of the Fire Marshal administers and provides information on state fire and panic safety laws, regulations, and procedures.

Department of Rehabilitation

The Department of Rehabilitation provides information on accessible architectural designs and interprets state laws, regulations, and policies; educates the public, government officials, architects, and other interested parties in order to encourage and create accessibility; accepts receipt acknowledgements of current regulations, standards, and codes affecting barrier-free design from applicants renewing certificates to practice architecture.

Department of Housing and Community Development

The Department of Housing and Community Development (HCD) promotes, provides and assists in the provision of affordable housing in suitable living environments for California residents. HCD seeks solutions to architectural and community environment problems through research, recommendations for state policies and programs, and technical and other assistance to government activities, citizens, and private businesses.

California Transportation Commission

The California Transportation Commission (CTC) is responsible for advising and assisting the Secretary of the Business and Transportation Agency and the Legislature in formulating and evaluating state policies and plans for California's transportation programs.

Department of Transportation

The California Department of Transportation (DOT) is responsible for coordinating the development and operation of the various transportation modes and facilities in the state. DOT attempts to develop cost effective alternatives to transportation problems with consideration of social, geographical, and environmental impacts as well as traffic benefits.

California State Park and Recreation Commission

The Park and Recreation Commission (PRC) is responsible for acquiring, preserving, interpreting, and directing the management of the natural, cultural, and recreational resources of the state.

Department of Parks and Recreation

The Department of Parks and Recreation (DPR) is responsible for planning and implementing recreational, cultural, and natural resource preservation programs throughout California. DPR administers state and federal grants to cities, counties, and special districts to provide parks, other recreational sites, and open space throughout the state. It is concerned with the architectural accessibility of recreational sites for persons with disabilities and assists in interpreting and applying California Government Codes concerning the architectural access of recreational areas.

Department of Education

The Department of Education (DE) is the agency of state government created by statutory provisions for the regulation and control of the public school system of California. This includes responsibility for preschools through post-secondary programs for adults, special schools for citizens with handicaps, and statewide public library services. DE assists in interpreting and applying state laws concerning the architectural accessibility of schools.

Department of Corrections

The Department of Corrections (DOC) is responsible for the incarceration, education, and care of adult felons and nonfelon narcotic addicts. It supervises and treats parolees released to the community as part of their prescribed terms, and advises and assists other governmental agencies and citizens' groups in programs of crime prevention, criminal justice, and rehabilitation. DOC assists in interpreting and applying state laws on architectural accessibility for correctional facilities.

Department of Youth Authority

The Department of Youth Authority (DYA) is responsible for training and treatment of young persons found guilty of public offenses. It provides services to local, public, and private agencies on delinquency prevention. DYA assists in interpreting and applying state laws on architectural accessibility for youth training and treatment facilities.

● 5. What are some examples of typical architectural barriers that exist in most buildings?

- Parking spaces that are improperly located or have inadequate dimensions hinder the approach to facilities.

Doors that are less than 32" wide are difficult or impossible for many people who use wheelchairs or other mobility aids to pass through.

Routes and spaces that are too narrow may prevent passage of people who use wheelchairs or other mobility aids. Turns or other maneuvers may be impossible to execute in wheelchairs unless allowance is made for the specific turning requirements.

Steep ramps may cause persons who are in wheelchairs or who use walking aids to lose their balance or necessitate frequent stops.

Uneven surface textures and changes in surface levels may cause persons to lose their balance. Uneven surfaces may jar the controls of motorized wheelchairs out of position.

Objects that protrude into a passageway higher than 27" above the ground prevent detection by visually impaired persons using canes and are also inaccessible to people in wheelchairs, e.g., drinking fountains, public telephones, lavatories, shelves and food service equipment.

Hardware on doors or control devices may prove inaccessible to people with upper limb impairments if tight grasping, pinching or twisting of the wrist is involved in the operation. Excessive pressure to activate such devices on doors also affects the balance and independent access by people using wheelchairs and walking aids.

Stair risers that are too high or surfaces that are slippery can create hazardous access for people who are visually impaired as well as to people who use mobility aids.

Toilet rooms that lack adequate clear floor space or appropriately placed fixtures prevent accessibility for people in wheelchairs.

Safety or warning devices which use sound rather than both sound and pulsating light provide inadequate hazard warnings for hearing impaired and deaf persons.

● 6. If changes in architectural design of department facilities are believed necessary to achieve access to programs and activities, how is a request for modifications made and how is it funded?

- Requests for alterations (excluding maintenance or repair) to state-owned and state-leased noninstitutional office and warehouse space, relocatable buildings, and trailers are submitted on a Space Action Request and forwarded to the Department of General Services, Space Management Division. A review by Space Management Division of the need for alterations will be made on the basis of the accepted Space Management Request.*

Requests for alterations must be signed by a responsible departmental representative not below the level of Assistant Director, or Chief of Administrative Services, specifically delegated by the head of the requesting agency. Maintenance or repair is defined as restorative work to the exterior or interior of the building, necessitated by ordinary wear and tear, damage, or accident. In state-owned space, this type of project is normally budgeted and accomplished by Department of General Services, Buildings and Grounds Division. Unscheduled repainting of state-owned quarters for tenant's benefit must be requested by tenant's submittal of a Space Action Request, and must be funded by the tenant agency. In state-leased space, maintenance or repair projects are normally accomplished by the lessor, where and as required by terms of the existing lease. Space Management Division, Lease Management Section, would supervise this type of activity.

*Significant differences exist in responsibility for maintenance or repair work between state-owned and state-leased buildings.

Space Management Division accomplishes alteration projects with a total project cost under \$100,000. Projects exceeding this amount fall under the Major Capital Outlay category and will normally be accomplished by Office of the State Architect, with Space Management Division's participation and input.

All expenditures for alteration projects in state-owned and leased buildings, when paid for by the client agency, must be appropriated out of Minor/Major Capital Outlay funds under the auspices of Section 2.2 of the Budget Act.

Minor Alterations: \$0-\$4,999

Funding can be provided from Minor Capital Outlay appropriations, under Capital Outlay Section 2.2, or by use of support funds, which may be used only when authorized by the Department of General Services. No phasing of projects will be allowed, and each request must be for a complete project.

Alterations \$5,000-\$99,999 (Minor Capital Outlay)

All alterations falling into this category must be budgeted as Minor Capital Outlay, with funds provided from Section 2.2 of the Budget Act.

Alterations \$100,000 and Above (Major Capital Outlay)

All alterations in this category are Major Capital Outlay, which require individual project justification, review and approval by the Department of Finance, review by the Legislative Analyst's Office, Legislative review and approval, and State Public Works Board approval before any funds can be expended. It is generally understood that this process will require approximately two years.

All requests for alterations will normally be handled entirely within the Department of General Services.

For state-leased space, Department of General Services, Space Management Division, will prepare plans and specifications, secure client approval, obtain all other approvals, and conduct negotiations with lessor for accomplishment of project.

Alterations to leased space should be accomplished by lease amendment with improvements amortized over the remainder of the firm term of the lease. For short-term leases or those with early cancellation rights, lump sum settlements due at termination may be negotiated, initially, providing the agency has sufficient funds available in the current

budget year. Where alterations are amortized, every effort will be made during negotiations to reduce the rental back to base rate levels at the end of the amortization period.

It is normally expected that the lessor will perform the alterations. The competitive bid process will be required. Situations where it is necessary for the State to contract for alterations in leased premises will be the rare exception.

● 7. If an evaluation of the department's policies and practices on architectural accessibility has recently been completed, is it necessary to do another?

- It may be necessary to perform another evaluation, if:

Laws governing the construction or alteration of the department's facilities have changed;

All applicable areas under state laws on architectural access were not evaluated;

The use of department facilities has changed.

● 8. What resources are available to provide information on specific issues related to the architectural design and construction of facilities?

- a. CALIFORNIA STATE DEPARTMENTS

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
Facility Access and Architectural Laws and Standards	Department of Rehabilitation Mobility and Communication Barriers Section Department of Transportation	Information designed for officials of cities, counties, municipalities, and other political subdivisions, private architects, designers, and planners to help and encourage them to make buildings, facilities, and improved areas accessible to and usable by people with handicaps.

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
	Department of General Services Office of the State Architect Handicapped Law Compliance Sec- tion	Information on state architectural regu- lations and standards.
	Department of Housing and Community Development Division of Codes and Standards	Information on the mini- mum building standards for all types of housing in California and the monitoring of compliance with the standards.
Specialized Equipment	Department of Reha- bilitation Mobility and Communication Barriers Section	Information on a variety of specialized equipment to accommodate the archi- tectural access needs of people with disabilities.
Structural Safety	Department of General Services Office of the State Architect Structural Safety/Handi- capped Plan Checking Unit	Information on structural safety requirements for public buildings to assure the safe access and use by people with handicaps.
Housing Subsidies	Department of Hous- ing and Community Development Division of Community Affairs Housing Assis- tance Program	Information on federal housing subsidies for certain people with disabilities.
Fire Safety	Office of the State Fire Marshall Operations Divi- sion Regional In- spection and Enforcement Activities Unit	Information on fire safety laws and regu- lations for privately owned institutional, hospital and public assemblage occupancy inspections, and state-owned or state- occupied occupancy inspections.

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
	Office of the State Fire Marshall Public School Design Unit	Information on plans and specifications for fire and panic safety in the basic design and construction of all public school buildings as well as fire safety require- ments for jails, state hospitals and institu- tional homes for the aged, and children's homes.
Department Evalu- ation for Architectural Accessibility	Office of Statewide Compliance Coordination	Information on the various methods and tools available to evaluate a department's architectural accessi- bility.

b. DEPARTMENTAL OFFICES

<u>Sources</u>	<u>Information</u>
Administrative Services/ Business Services Offices Program Access Coordinator Disabled Advisory Committee Executive Officer Space Management Offices	Technical assistance and information on laws and policies. Creative and cost efficient methods for providing architec- tural accessibility to facilities.

c. LAWS

The following state and federal laws mandate archi-
tectural access to facilities. For explanations of
these laws and information on additional related laws,
see Legal Mandates Section of this Handbook.

STATE LAWS

ELECTIONS: Access by Physically Handicapped
Elections Code S 14234 - Aid to Disabled Voters

FACILITY ACCESS: Architectural
Government Code S 4450 - Basic Architectural Access
Health & Safety Code S 19955 - Basic Architectural
Access
Health & Safety Code S.19955.5 - Service Stations,
Shopping Centers, Office Buildings

Health & Safety Code S 19956 - Public Accommodations
Health & Safety Code S 19958 - Enforcement
Health & Safety Code S 19959 - Repairs and Additions

FACILITY ACCESS: Architectural: Barrier-Free Design
Business & Professions Code S 5550.1 - Barrier-Free
Design - Architecture Certification Examinations
Business & Professions Code S 5600.05 - Barrier-Free
Design - Current Regulations

FACILITY ACCESS: Architectural: Buildings
Government Code S 4451 - Applicability
Government Code S 4456 - Repairs and Additions
Government Code S 4457 - Exemptions of Portable
Buildings in School District

FACILITY ACCESS: Architectural: Buildings: Standards
Government Code S 4452 - Building Standards

FACILITY ACCESS: Architectural: Education
Government Code S 4455 - Educational Programs

FACILITY ACCESS: Architectural: Elevators
Government Code S 4455.5 - Elevators

FACILITY ACCESS: Architectural: Entrances
Government Code S 1752 - Entrances

FACILITY ACCESS: Architectural: Playgrounds
Public Resources Code SS 5410, 5411 - Playground
Equipment

FACILITY ACCESS: Architectural: Sidewalks
Health & Safety Code S 19956.5 - Sidewalks and Curbs
Vehicle Code S 22522 - Parking Near Sidewalk Access
Ramps

FACILITY ACCESS: Architectural: Tax Exemptions
Revenue & Taxation Code S 24383 - Tax Exemptions for
Repairing or Remodeling to Create Access

FACILITY ACCESS: Architectural: Toilet Facilities
Government Code S 7251 - Toilet Facilities

FACILITY ACCESS: Parking
Vehicle Code S 21458(3) - Curb Markings
Vehicle Code S 22507.8 - Prohibited Parking
Vehicle Code S 22511.5 - Parking Fee Exemptions
Vehicle Code S 22511.8 - Removal of Unauthorized
Vehicles

FACILITY ACCESS: Parking: Veterans
Vehicle Code S 22511 - Veteran's Exemption
Vehicle Code S 22511.7 - Designation of Parking
Spaces for Disabled Veterans

FACILITY ACCESS: Public Places
Civil Code S 54 - Right to Streets, Highways and
Other Public Places
Civil Code S 54.1 - Access to Public Conveyances,
Places of Public Accommodations, and Housing
Accommodations

FACILITY ACCESS: Public Places: Trails
Public Resources Code S 5070.5 - Recreational Trails

HOUSING: Funding
Health & Safety Code S 50670 - Demonstration Housing
Rehabilitation Program for the Elderly and the
Handicapped

HOUSING: Rental Units
Health & Safety Code S 51230 - Occupancy by Persons
with Orthopedic Disabilities

TRANSPORTATION: Electric Carts
Vehicle Code S 2114.5 - Electric Cart Use on Sidewalks

FEDERAL LAWS

ARCHITECTURAL ACCESS: Architectural Barriers Act
Public Health & Welfare (U.S.C. 42) SS 4151-4157 -
Architectural Barriers Act

ARCHITECTURAL ACCESS: Compliance
Labor (U.S.C. 29) S 792 - Architectural and Transpor-
tation Barriers Compliance Board
Parks, Forests and Public Property (36 C.F.R.) 1150
et seq. - Compliance

ARCHITECTURAL ACCESS: Residential Structures
Housing and Urban Development (24 C.F.R.) 5540.1
et seq. - Design, Construction and Alteration of
Publicly Owned Residential Structures

EDUCATION: Architectural Access
Education (U.S.C. 20) S 844 - Grants for Construction
of Facilities
Education (U.S.C. 20) S 1406 - Grants for Removal of
Architectural Barriers

d. PUBLICATIONS

Architectural Access Regulations
Guidelines and/or Model Standards

Program Access Master Planning Guide. State and Consumer Services Agency, Office of Statewide Compliance Coordination, Sacramento, California, January, 1983 (Second Edition).

This publication was designed for use by California State departments. It is a standardized approach to developing a master plan to ensure that persons with disabilities who are candidates or applicants for employment or services, employees or recipients of state services are provided equal opportunity and fair treatment. It outlines a six-step process to evaluate a department's compliance status with state and federal laws on nondiscrimination, and establishes a plan to effect any needed changes to policies, practices, or the architectural access of facilities.

Summary of Architectural Standards and Requirements. State and Consumer Services Agency, Office of Statewide Compliance Coordination and California Institute on Human Services, Sonoma State University, Sacramento, California, November, 1981.

This informational publication was prepared to facilitate state departments' compliance efforts to achieve architectural access. It compares five major regulations and standards on architectural accessibility: the standards of the Architectural and Transportation Barriers Compliance Board (ATBCB), the standards of the American National Standards Institute (ANSI), the regulations of the Federal General Services Administration (GSA), the Uniform Building Code (UBC), and the regulations of the State Department of General Services, Office of State Architect (OSA).

Training Seminar Workbook. Prepared by People's Housing, Inc., Topanga, California, for the Office of State Architect and the Department of Rehabilitation, March, 1982.

This publication was prepared for use in a series of training seminars conducted by the Office of the State Architect (OSA) and the Department of Rehabilitation on the use of the recently enacted accessibility regulations. These regulations were developed and approved by the State Building Standards Commission and are

effective July 1, 1982. The workbook consists of a summary of topics relating to the regulations, a review of the specific construction requirements of the regulations, and an example of a plan check sequence for a specific building occupancy.

The Minimum Federal Guidelines and Requirements for Accessible Design. Architectural and Transportation Barriers Compliance Board, Federal Register, Vol. 47 No. 50, , Wednesday, August 4, 1982, 36 CFR, Part 1190.

Accessibility Information. California Department of Rehabilitation, Technical Assistance Project, Sacramento, California, June, 1980.

Accessibility Modifications: Guidelines for Modifications to Existing Buildings for Accessibility to the Handicapped. Barrier-Free Environments, Inc., Fayetteville, North Carolina, 1976.

Architectural Barriers Removal. U.S. Department of Health, Education, and Welfare. Office for Handicapped Individuals, and Architectural and Transportation Barriers Compliance Board, Washington, D.C., May, 1979.

Barrier-Free Site Design. Department of Housing and Urban Development, Washington, D.C., 1975.

"Access America: The Architectural Barriers Act and You." Architectural and Transportation Compliance Board, Washington, D.C., May, 1982.

State Administrative Manual. Department of Finance, State of California, Sections relating to architectural access:

Existing Space.....	1403.7	
Fire Marshall's Approval.....	1403.2	
New or Additional.....	1410.2,	6216
Procedure for Request.....	1410.2	
Physically Handicapped Compliance....	1456.1	

Attitudes

Harvey, Jeanette. "Barrier-Free Attitudes." Architecture, California, January/February, 1982.

Sokoloff, H. David. "Disability or Access." Architecture, California, January/February, 1982.

Historical and Old Buildings

Creating an Accessible Campus. Association of Physical Plant Administrators of Universities and Colleges, Washington, D.C., 1978.

Milner, Margaret. Adapting Historic Campus Structures for Accessibility. National Center for a Barrier-Free Environment and the Association of Physical Plant Administrators of Universities and Colleges, Washington, D.C.

Educational Institutions

Cotler, Stephen. Modifying the Existing Campus Building for Accessibility: Construction Guidelines and Specifications. The Association of Physical Plant Administrators of Universities and Colleges. Produced for the Department of Education, Washington, D.C., 1981.

Cotler, Stephen R. & De Graff, Alfred H. Architectural Accessibility for the Disabled of College Campuses. State University Construction Fund, New York, 1976.

Health and Safety

Emergency Egress Systems

State of California. An Emergency Egress System for Public Buildings. California State Department of Rehabilitation, Sacramento, California, September, 1980.

Fire and Safety

Levin B., Paulsen, R., & Klote, J. "Fire Safety," Access Information Bulletin, National Center for a Barrier-Free Environment, Washington, D.C., 1981.

The Life Safety Code, Report No. NFPA 101. National Fire Protection Association, Quincy, Massachusetts, 1981.

Levin, B. Fire and Life Safety for the Handicapped. Reports of "The Conference on Fire Safety for the Handicapped," November 26-29, 1979, and "The Workshops on Life Safety for the Handicapped," Washington, D.C., and Sacramento, California, 1979. National Bureau of Standards, Special Publication 585, July, 1980.

Accessibility of Arts Programs and Exhibits to People Who are Blind or Deaf

The National Arts and the Handicapped Information Service. Arts for Blind and Visually Impaired People. Project supported by the National Endowment for the Arts, Washington, D.C., April, 1978.

Bergman, Eugene. Arts Accessibility for the Deaf. The National Access Center, Washington, D.C., March, 1981.

Transportation Systems

Airport Systems

Access Travel: Airports--A Guide to Accessibility of Terminals. Airport Operators Council International, Inc., Washington, D.C., February, 1982.

Motor Vehicle Systems

Cannon, Dennis. Design Criteria for Transportation for Disabled People: A Test of Equivalence. In-Transit Communications, Northridge, California, 1980.

Cannon, Dennis, & Rainbow, Francis. "Fixed-Route vs. Paratransit Transportation." Access Information Bulletin. National Center for a Barrier-Free Environment, November, 1980.

General Information on Architectural Access

Architectural Barriers: Bibliography. National Library Service for the Blind and Physically Handicapped, Washington, D.C.

About Barriers. Architectural and Transportation Barriers Compliance Board, Washington, D.C., May, 1982.

Into the Mainstream: A Syllabus for a Barrier-Free Environment. American Institute of Architects, Washington, D.C., 1976.

Lots, William F. "Let's Stop Constructing Inaccessible Buildings." The Constructor. President's Committee on Employment of the Handicapped, Washington, D.C., May, 1962.

Program Accessibility Training for Trainers Manual.
Office of Statewide Compliance Coordination, Sacramento,
CA, January, 1983 (Second Edition).

Definitions of Key Terms and Phrases Used in Federal Regulations Relating to Section 504 of the Federal Rehabilitation Act of 1973. Office of Statewide Compliance Coordination, Sacramento, CA, January, 1982.

● 9. What are some definitions of key terms relating to architectural access?

- Accessible route. A continuous unobstructed path connecting accessible elements and spaces in a building or facility. Interior accessible routes may include but are not limited to corridors, floors, ramps, elevators, lifts, and clear floor space at fixtures. Exterior accessible routes may include but are not limited to parking access aisles, curb ramps, walks, ramps, and lifts.

Alteration. Any change in a building or facility or its permanent fixtures or equipment. It includes, but is not limited to, remodeling, renovation, rehabilitation, reconstruction, changes or rearrangement in structural parts, and extraordinary repairs. It does not include normal maintenance, reroofing, interior decoration, or changes to mechanical systems.

Building or Facility. Any portion of buildings, structures, equipment, roads, walks, parking lots, parks, sites, or other real property or interest in such property.

Egress or Means of Egress. A continuous and unobstructed way of exit travel from any point in a building or facility to an exterior walk or out of a fire zone. It includes all intervening rooms, spaces, or elements.

Entrance. Any access point to a building or portion of a building or facility used for the purpose of entering. An entrance includes the approach walk, the vertical access leading to the entrance platform, the entrance platform itself, vestibules, if provided, the entry door(s) or gate(s), and the hardware of the entry door(s) or gate(s).

Essential features. Those elements and spaces that make a building or facility usable by, or serve the needs of, its occupants or users. Essential features include but are not limited to entrances, toilet rooms, and accessible routes. Essential features do not include those spaces that house the major activities for which the building or facility is intended, such as classrooms and offices.

Facility. All or any portion of buildings, structures, equipment, roads, walks, parking lots, or other real or personal property or interest in such property. 117

Signs and Identification. The International Symbol of Accessibility is used to identify facilities that are accessible to and usable by people with physical handicaps. The symbol consists of a white figure on a blue background.

The appropriate enforcement agency may approve special signs and identification necessary to complement decor or unique design when it is determined that such signs and identification provide adequate direction to handicapped persons.

Contracted Grade 2 Braille shall be used wherever Braille symbols are specifically required.

All building entrances that are accessible to and usable by physically handicapped persons shall be identified with at least one standard sign and with additional directional signs, as required, to be visible to persons along approaching pedestrian ways.

Buildings that have been remodeled to provide specific sanitary facilities for public use that conform to these building standards shall have this information posted in the building lobby, preferably as part of the building directory.

Site. A parcel of land bounded by a property line or a designated portion of a public right-of-way.

Site Improvements. Landscaping, paving for pedestrian and vehicular ways, outdoor lighting, recreational facilities, and similar site additions.

Space. A definable area, e.g., toilet room, hall, assembly area, parking area, entrance, storage room, alcove, courtyard, or lobby.

Unreasonable Hardship. An unreasonable hardship exists when the enforcing agency finds that compliance with the building standards would make the specific work of the project affected by the building standards unfeasible based upon an overall evaluation of the following factors:

The cost of providing access;

The cost of all construction contemplated;

The impact of proposed improvements on financial feasibility of the project;

The nature of the accessibility which would be gained or lost;

The nature of the use of the facility under construction and its availability to handicapped persons.

Walk. An exterior pathway or space with a prepared surface intended for pedestrian use and having a slope of 1:20 or less. It includes general pedestrian areas such as plazas and courts.

GRIEVANCE PROCEDURES ON COMPLAINTS OF DISCRIMINATION BASED ON HANDICAP

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GRIEVANCE PROCEDURES ON COMPLAINTS OF DISCRIMINATION BASED ON HANDICAP

Definition

Grievance procedures on complaints of discrimination based on handicap are written guidelines governing the submission, investigation, and resolution of such complaints. These procedures cover the complaint process for: 1) applicants or candidates for state employment; 2) state employees; 3) applicants or candidates for state services; 4) recipients of services provided by state departments; and 5) contractors or grantees that receive payment from a state department for providing services to that department.

Role of Program Access Coordinator

Be aware of laws, regulations, rules, and policies concerned with discrimination grievance procedures.

May serve as a consultant to administrative staff in developing a system to receive, investigate, and resolve complaints of discrimination.

QUESTIONS

- 1. What regulations and policies require grievance procedures on complaints of discrimination based on handicap?
- Both federal and state regulations and policies require procedures on receiving, investigating, and resolving complaints. These procedures are to:

Ensure uniform and effective methods for lodging and resolving complaints;

Ensure complaints receive prompt, impartial attention.

FEDERAL LAWS/REGULATIONS/POLICIES

The following federal departments have regulations, guidelines and/or policies that require a system to receive, investigate, and resolve complaints of discrimination based on handicap:

<u>Agency</u>	<u>Federal Register Location</u> <u>Vol #/Pg #/Date Pub.</u>
*ACTION	44 FR 31018 (1979)
*Agency for International Development	45 FR 66414 (1980)
*Civil Aeronautics Board	47 FR 25936 (1982)
*Department of Agriculture	44 FR 4620 (1979)
*Department of Commerce	43 FR 53765 (1978)
*Department of Defense	47 FR 15127 (1982)
*Department of Education	45 FR 30936 (1980)
*Department of Energy	45 FR 40514 (1980)
*Department of Health and Human Services	42 FR 22676 (1977)
Department of Housing and Urban Development	43 FR 16652 (1978)
Department of Interior	45 FR 24074 (1980)
*Department of Justice	45 FR 37620 (1980)
*Department of Labor	45 FR 66706 (1980)
*Department of State	45 FR 69437 (1980)
*Department of Transportation	44 FR 31442 (1979)
*Department of Treasury (Revenue Sharing)	44 FR 77356 (1980)
Environmental Protection Agency	46 FR 11662 (1981)
Equal Employment Opportunity Commission	44 FR 68482 (1979)
*General Services Administration	44 FR 62298 (1979)
Interstate Commerce Commission	43 FR 25152 (1978)
*Legal Services Corporation	44 FR 55175 (1979)
*National Aeronautics and Space Administration	44 FR 52680 (1979)
*National Endowment for the Arts and Humanities	44 FR 22730 (1979)
National Science Foundation	43 FR 16518 (1978)
*Nuclear Regulatory Commission	45 FR 14533 (1980)
*Small Business Administration	44 FR 20067 (1979)
*Tennessee Valley Authority	45 FR 22893 (1980)
*Veteran's Administration	45 FR 63264 (1980)

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*Indicates federal departments having regulations established as of June 30, 1982. An approximate total of 167 federal departments may establish such regulations.

Adams vs. Joseph Califano, et al., U.S. District Court for District of Columbia, Civil Action No. 3095-70 is a precedent-setting court case affecting the time frames and related requirements for disposition of Title VI and Title IX complaints filed with the U.S. Department of Health, Education and Welfare.

STATE LAWS

Government Code, Article 9.5, Section 11136

This section mandates the institution of hearings by state agencies that administer programs or activities funded directly by the state if there is probable cause of a violation of civil rights regulations prohibiting discrimination or denial of benefits by a contractor, grantee, or local agency.

Government Code, Title 2, Section 19230

This section prohibits discrimination in hiring, training, discharging, or terms of employment of qualified persons because of physical handicap. It also prohibits publications advertising employment which express discriminatory policies and discrimination by labor organizations that establish membership policies which discriminate on the basis of physical handicap.

Administrative Code, Title 2, Section 7293.7

This section prohibits discrimination in employment practices based on an individual's physical handicap.

Administrative Code, Title 2, Section 7294.0

This section prohibits discrimination in recruitment, application, and interview procedures based on an individual's physical handicap.

Administrative Code, Title 2, Section 9294.1

This section prohibits discrimination in employee selection on the basis that a reasonable accommodation will have to be made.

Administrative Code, Title 22, Sections 98340-98366

These sections describe the legal parameters and procedures for compiling evidence, filing complaints, resolving possible violations prior to administrative hearings, filing accusations, initiating hearings, expediting hearings, and obtaining judicial relief pending the outcome of a hearing.

STATE POLICIES

Memo: "Resolving complaints of discrimination in state employment." State Personnel Board Policy Memorandum. Sacramento, California, April 21, 1976. This memorandum contains rules which were adopted on March 18, 1976 regarding resolution of complaints of discrimination arising in state civil service.

Memo: "Appeals Process for appeals based on the provision of reasonable accommodation to disabled persons". State Personnel Board November 4, 1982.

State Personnel Board Affirmative Action for the Disabled Guidelines implements state policy applicable to affirmative action for the disabled. It established criteria for determining goals and timetables and provides direction regarding reasonable accommodations for people with disabilities. This publication also provides reference information on procedures for filing complaints of discrimination based on handicap.

Guidelines on Program Accessibility for Persons with Disabilities published by the Office of Statewide Compliance Coordination, establishes criteria and provides direction to state departments on compliance with state and federal laws concerning the accessibility of state programs and activities for persons with disabilities. It includes essential elements of discrimination complaint procedures for applicants or candidates for state employment or employees, applicants or candidates for state services or service recipients, and contractors, grantees or local agencies that receive payment from a state department on any action, decision, policy, or condition which they believe constitutes past or present discrimination based on disability.

● 2. What are some major components which should be included in discrimination grievance procedures?

● Grievance procedures should include:

- a. The purpose of grievance procedures;
- b. Identification of who may file a complaint;
- c. The steps and time frames for processing complaints;
- d. The roles and responsibilities of:
 - 1) Complainant;
 - 2) Personnel who administer grievance procedures, e.g.,
 - a) Staff who provide consultation on grievance process;

- b) Staff who investigate complaints;
- c) Staff who resolve complaints;
- d) Other state or federal entities that have a role in receiving, investigating, and/or resolving complaint procedures.
- e. Identification of what may constitute valid causes for complaints and possible remedies;
- f. Identification of the documents needed to file, investigate, and resolve complaints.

● 3. What is a method for receiving, investigating, and resolving complaints?

● MODEL PROCEDURE

Model Time Frame

Complaint to be filed within one year of the date of alleged discriminatory practices.

a. Filing Complaint

The complainant files a written request for investigation and resolution of allegations. The written correspondence should include:

- 1) Name, address, and telephone number of the complainant (person who believes he/she has been discriminated against);
- 2) Name, address, and telephone number of the complainant's representative, if any;
- 3) Name, address, and telephone number of the agency or individual alleged to have acted discriminatorily;
- 4) Date of alleged discriminatory act;
- 5) Description of alleged discrimination;
- 6) Efforts made to resolve complaint;
- 7) Current status of the complaint;
- 8) Actions requested to resolve complaint and remedies sought.

Model Time Frame

Within 180 days
from its receipt,
department inves-
tigates and
renders a decision.

MODEL PROCEDURE

b. Department Complaint Process

- 1) Within 15 days, the department acknowledges receipt of the complaint to the complainant or his/her representative. This acknowledgement should include:
 - a) Date of receipt of complaint;
 - b) Basis on which the complainant filed the allegations of discrimination (mental and/or physical disability);
 - c) Allegations made by the complainant;
 - d) Process that leads to, and identification of, who had jurisdictional authority to investigate and resolve the complaint;
 - e) Process and time frame for investigating and resolving the complaint;
 - f) Statement on the prohibitions against harassment or intimidation of, or retaliation to, any individual involved in the filing and investigation or resolution of the complaint.
- 2) Department investigates the complaint:
 - a) Ascertains the facts;
 - b) Prepares a report.
- 3) Department makes a determination as to whether or not any allegations are found to be discriminatory.
- 4) Department encourages informal resolution of the allegations.
- 5) Department notifies the institution/individuals involved in the complaint of the findings prior to issuing the final decision.

Model Time Frame

Within 180 days from its receipt, department investigates and renders a decision.

MODEL PROCEDURE

- 6) Department renders its final decision in writing.
- 7) Department advises institutions/ individuals involved in the complaint of right to appeal and appeal process.

● 4. What are the roles and responsibilities involved in filing, investigating, and resolving discrimination complaints?

● COMPLAINANT

The complainant is to provide as much information as possible on the alleged acts of discrimination, efforts made to resolve the complaint, action requested, and, if any, appropriate alternative actions to resolve the complaint.

COMPLAINT COUNSELOR

The complaint counselor is to acquire knowledge and information about:

Typical types and causes of such complaints;

Resources needed to resolve the complaints;

Appropriate alternatives for voluntary and/or remedial actions;

Time periods mandated by law for action on such complaints;

Department's current procedures on resolving such complaints.

The complaint counselor is to consult with complainant on an individual basis regarding the complaint resolution process, specific allegations, and appropriate remedies and alternatives.

INVESTIGATOR

The investigator is to ascertain facts in regard to the complaint and provide special expertise in determining whether or not unlawful discrimination has occurred.

DEPARTMENT EXECUTIVE OFFICER

The department executive officer is to assure the department has grievance resolution practices and issue the final departmental decision.

● 5. What are some examples of topic areas where discriminatory practices may occur?

● a. Areas in which applicants or candidates for service or service recipients might file a complaint:

- 1) Notification Procedures
Agreements and contracts
- 2) Documentation Procedures
- 3) Examination Procedures, e.g., for prelicensing, licensing, or certification
 - a) Facilities
 - b) Examination instruments
 - c) Proctor instructions
 - d) Time allowed
 - e) Examination contents
 - f) Interview techniques
- 4) Service Provision
 - a) Consent notices
 - b) Setting or environment where services are provided
 - c) Counseling
 - d) Orientation and training programs
 - e) Standards or specification issues
 - f) Compensation
 - g) Benefits
 - h) Client assessment systems
 - i) Service termination procedures
- 5) Service Evaluations
- 6) Health and Safety Procedures

b. Areas in which applicants or candidates for employment, or employees might file a complaint:

- 1) Recruitment practices
- 2) Selection practices
- 3) Placement practices
- 4) Employment practices
 - a) Working conditions
 - b) Classification and job assignments

● 6. If a federal department has made a determination on resolution of a complaint, what actions may be taken by that department against the recipient who fails to comply with the recommended resolutions?

- The federal department may initiate three types of enforcement actions:
 - a. Administrative proceedings to suspend, terminate, or refuse to grant or continue federal financial assistance to the recipient;
 - b. Referral to the U.S. Department of Justice for administrative and/or legal proceedings;
 - c. File the case with the state court system for legal enforcement.

● 7. If a state department has made a determination on resolution of a complaint, what action may be taken by that department against the recipient who fails to comply with the recommended resolutions?

- The state agency may take one or more of the following actions to ensure compliance:

- a. Administrative procedures to terminate, suspend, refuse to grant or continue to grant all or part of the recipient's current or future state financial assistance;
- b. Referral to the State Department of Justice for administrative and/or legal proceedings;
- c. File the case with the state court system for legal enforcement.

● 8. How can a Program Access Coordinator determine whether or not the department has discrimination procedures based on handicap?

- A department's policy and procedural manual, the Personnel Office, Equal Employment Opportunity Administrator or Counselor, Affirmative Action Office, Administrative Services Office and Executive Office are all good resources for obtaining information about a department's grievance procedures.

● 9. Where can individuals file and seek resolution to complaints of discrimination based on handicap?

- Current laws and regulations allow a variety of options for submitting a discrimination complaint depending upon whether or not:
 - a. Alleged violator is a recipient of state and/or federal financial assistance;
 - b. Complainant is an applicant or candidate for state employment or a state employee;
 - c. Complainant is an applicant/candidate or recipient of services provided by a state department;
 - d. Complainant is a contractor or grantee that receives payment from a state department for services rendered to that department.

It is advisable to submit the complaint at the lowest level possible to assure familiarity with and awareness of the specific issues involved, and to facilitate speedy resolution.

If complainant is an applicant and/or candidate for state employment, he/she files the complaint with:

- a. State department administering the recruitment and selection activities;
- b. State Personnel Board;
- c. State Department of Fair Employment and Housing (jurisdiction limited to discrimination complaints based on physical disability);
- d. A federal department that provides financial assistance to that particular state department or the state;
- e. Court System.

If complainant is a state employee, he/she files the complaint with:

- a. Department supervisor to whom employee is directly responsible;
- b. Department Employee/Employer Relations, or, if none, Personnel Office;
- c. State Personnel Board;
- d. State Department of Fair Employment and Housing;
- e. A federal department that provides financial assistance to that particular state department or the state;
- f. Court System.

If complainant is a candidate, applicant or recipient of services provided by a state department, he/she files the complaint with:

- b. State agency to which state department is administratively responsible or, if none, the Governor's Office;
- c. A federal department that provides financial assistance to that particular state department or the state;
- d. Court System.

If complainant is a contractor, grantee or local agency that receives payment from a state department for services rendered to that department, it files the complaint with:

- a. State department that is providing payment for services;
- b. State agency to which the state department is administratively responsible or, if none, the Governor's Office;
- c. A federal department that provides financial assistance to that particular state department or the state;
- d. Court System.

● 10. What resources are available to provide interpretation of laws and technical assistance on grievance procedures?

● a. GOVERNMENT AGENCIES

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
Employment, Housing, and Public Accommodation Issues re: Applicants/Candidates for Employment or Employees of Entities that Receive Financial Assistance from the State	Department of Fair Employment and Housing	Interpretation, adjudication and resolution of complaints of discrimination based on physical disability in the areas of employment, housing, and public accommodations.
	Department of Industrial Relations	Interpretation, adjudication and resolution of complaints relating to wages, hours, and conditions of employment.
	State Department of Justice Constitutional Rights Unit	Formal and informal interpretation of laws. May represent the state department if a discrimination complaint decision is challenged by an applicant/candidate for employment or employee, or applicant/candidate or recipient of services.

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
Applicants/ Candidates for Employment or Employees of Entities that Receive Finan- cial Assistance from the State and Federal Government.	Department of Fair Employment and Hous- ing	Previously referenced
	Department of Indus- trial Relations	Previously referenced
	State Department of Justice	Previously referenced
	U.S. Department of Justice	Formal and informal interpretation of laws. May represent the state department if a dis- crimination complaint decision is challenged by an applicant/candi- date for employment or employee or appli- cant/candidate or recipient of services.
Applicants/ Candidates for State Employ- ment or Employees of the State	U.S. Department of Labor	Administration of laws and information relat- ing to workers' rights to safe and healthful working conditions, wages and nondiscrimi- natory employment.
	Federal Department providing funds	
	State Personnel Board	Information on imple- mentation of statewide employment policies and procedures includ- ing merit-related appeals and all issues of discrimination for state employees.
		Information on legal mandates, policies, and methods applicable to achieve affirmative action for employment of people with handi- caps in state govern- ment.
	Department of Personnel Admini- stration	Information on laws relating to non-merit aspects of the state's personnel system.

TopicsSourcesInformation

	Department of Fair Employment and Housing	Previously referenced
	U.S. Department of Justice	Previously referenced
Services Issues re: Applicants/ Candidates or Recipients of Services Provided by a State Department	State department providing services State agency to which state depart- ment is administra- tively responsible, or if none, the Governor's Office Federal department providing funds to the state depart- ment	
	U.S. Department of Justice	Previously referenced
Applicants/ Candidates or Recipients of Services from Entities that Receive Financial Assistance from the State	State department providing funds State agency to which department is administratively responsible, or if none, the Governor's Office Health and Welfare Agency Office of State- wide Civil Rights Coordination	Information on legal mandates, policies, and methods to assure nondiscrimination in provision of services by contractors, gran- tee, or local agencies.

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
Applicants/ Candidates or Recipients of Services from Entities that Receive Finan- cial Assistance from the State and Federal Governments.	State department providing funds State agency to which state depart- ment is administra- tively responsible, or, if none, the Governor's Office	
	Federal Department providing funds	
Contractors, Gran- tees, or Local Agencies that Receive State Financial Assis- tance from a State Department to Provide Ser- vices Directly to Applicants/ Candidates and Recipients of Services	State department providing funds State agency to which state depart- ment is administra- tively responsible, or, if none, the Governor's Office Health and Welfare Agency Office of Statewide Civil Rights Coordi- nation	Previously referenced Previously referenced
Contractors, Gran- tees, or Local Agencies that Receive State and Federal Financial Assistance to Provide Services Directly to Applicants/Candi- dates or Recipients of Services	State department providing funds State agency to which state depart- ment is administra- tively responsible Health and Welfare Agency Office of Statewide Civil Rights Coordi- nation Federal department providing funds	Previously referenced Previously referenced
	U.S. Department of Justice	Previously referenced

<u>Topics</u>	<u>Sources</u>	<u>Information</u>
Contractors, Grantees, or Local Agencies that Receive Payment from a State Department for Services Rendered to that Department	State department providing funds State agency to which state department is administratively responsible Federal department providing funds	
	U.S. Department of Justice	Previously referenced

b. PUBLICATIONS

State Administrative Manual. Department of Finance, State of California, Sections:

Employment:

Medical Examinations
Position Changes
Compensation
Benefits
Leaves of Absence

Services:

Public Works Contracts
Bids
Blind Industries Products
Claims Against the State

Guidelines on Program Accessibility for Persons with Disabilities. Office of Statewide Compliance Coordination, Sacramento, California, November, 1981

Establishes criteria and provides direction to state departments on compliance with state and federal laws concerning the accessibility of state programs and activities to persons with handicaps

Dispute Settlement Procedural Safeguards: A Catalog of Materials Related to Education Rights of Handicapped Children. U.S. Department of Education, Office for Civil Rights, Washington, D.C.

Contains informational and training materials on dispute settlement with regard to issues raised by PL 94-142 (Education for All Handicapped Children Act of 1975), and Title V, Section 504 of the Rehabilitation Act of 1973.

Complaint-Handling Procedures. Office for Civil Rights, Regional Technical Assistance Unit, Washington, D.C.

Contains information needed to make a complaint complete and describes time deadlines, resolution of complaints, legal authorities, and limits on confidentiality.

Getting Uncle Sam to Enforce Your Civil Rights. U.S. Commission on Civil Rights, Washington, D.C.

Contains information on how to file a complaint; where to file complaints on discrimination; special circumstances; legal guides; agency, regional and local offices; TDD or TTY numbers of Federal Government offices.

Investigation Procedures Manual. U.S. Department of Education, Office of Civil Rights, October, 1980.

Discrimination Complaints Process. California State Personnel Board, Sacramento, California.

EEO Complaints System. California State Personnel Board, Sacramento, California.

Definitions of Key Terms and Phrases Used in Federal Regulations Relating to Section 504 of the Federal Rehabilitation Act of 1973. Office of Statewide Compliance Coordination, Sacramento, CA, January, 1982.



ASSURANCE OF COMPLIANCE

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ASSURANCE OF COMPLIANCE

Definition

A written statement which certifies that a recipient of government financial assistance will comply with legal mandates on nondiscrimination toward handicapped persons. Assurances of compliance are required at two levels.

Federal Departments. A state department which applies to a federal department for financial assistance must complete a written assurance that it will comply with that department's regulations on implementing Title V, Section 504 of the Federal Rehabilitation Act of 1973.

State Departments. An entity (contractor, subcontractor, grantee, or local agency) which applies to a state department for financial assistance must complete a written assurance that it will comply with state and federal laws, rules, policies, and practices relating both to Title V, Section 504 of the Federal Rehabilitation Act of 1973 and State Government Code, Article 9.5, Sections 11135-11139.5

Role of Program Access Coordinator

Be aware of laws and policies on assurances of compliance.

May serve as a liaison to administrative/fiscal staff in developing a system to make assurances of compliance.

QUESTIONS

- 1. What is the purpose for assurances of compliance?

- The reason for assurances of compliance is to confirm that entities receiving or providing federal or state financial assistance are aware of and are complying with laws mandating nondiscrimination on the basis of disability.

- 2. Are departments required to submit assurances of compliance to federal agencies?

- Yes, assurances of compliance must be submitted to the federal agency providing the assistance by every state department that applies for or receives federal financial assistance.

If a state department submits a request for financial assistance to more than one federal agency, an assurance of compliance should be sent to each agency providing financial assistance.

If a state department receives federal funding and makes only periodic applications for financial assistance, it may make subsequent assurances by reference.

- 3. Are state departments required to request assurances of compliance from contractors, subcontractors, or grantees?

- Yes, when an entity (contractor, subcontractor, grantee, or local agency) applies to a state department for financial assistance, the application must include a written assurance that the entity will comply with state laws, rules, policies, and practices relating to Section 504 and State Government Code Sections 11135-11139.5.

- 4. What obligations does a department assume when it submits an assurance of compliance?

- The department assures that it:

Will maintain an awareness of the laws regarding nondiscrimination based on handicap;

Is in compliance with the laws or will take appropriate steps to comply with laws and regulations.

These legal mandates apply to:

Any department receiving state or federal funds;

Any contractor, subcontractor, grantee, or local agency with which the state contracts.

●5. What is the duration of obligation for assurances of compliance?

- Assurances obligate the recipients for the period during which federal/state funding is extended, or during the period of time in which real or personal property is used which was purchased with federal/state funds.

●6. What information should be included on an assurance of compliance?

- The following assurance of compliance sample form contains essential information.

State of California

Department: _____

ASSURANCE OF COMPLIANCE**Instructions:** Please fill in requested information and check appropriate boxes.

To:

From:

Name

Name

Title

Title

Department/Division

Department/Division

Address

Address

City/State/zip

City/State/Zip

Telephone/TDD No.

Telephone/TDD No.

The undersigned acknowledges awareness of and the responsibility to comply with the following:

Title V, Section 504 of the Rehabilitation Act of 1973 and federal department regulations on its implementation.

As a recipient of federal funds, the State of California is required to comply with Title V, Section 504 of the Federal Rehabilitation Act of 1973 and those regulations of federal departments on its implementation. Section 504 and federal department regulations mandate that all qualified people with disabilities will not be excluded from, denied benefits of, or discriminated against solely on the basis of their disabilities, under any program or activity that receives federal financial assistance.

California Government Code, Article 9.5, Sections 11135-11135.9

These sections mandate comprehensive state civil rights regulations that prohibit discrimination or denial of benefits to persons in the State of California who are under programs or activities that are funded by or receive financial assistance from the state. Discrimination and denial of benefits are prohibited on the bases of ethnic group identification, religion, age, sex, or physical or mental disability.

California Administrative Code, Title 22, Sections 98000-98413.

These sections implement California Government Code Sections 11135-11139.5 and establish standards for determining who is protected and guidelines for determining what practices are discriminatory.

Note: Federal and state agencies have the legal right to seek enforcement of this Assurance of Compliance.

The undersigned is: ☐ an applicant for: ☐ a recipient of:
☐ federal financial assistance ☐ state financial assistance

The assurance is effective as of _____ and throughout the period during which federal funding is extended or during the period of time in which real or personal property is used.

The assurance is submitted to the addressee along with:

Agreement/Contract/Project Proposal/Number/Date

Name (Signed)

Date

Name (Typed)

Title

Department/Division

Address

City/State/Zip

Telephone/TDD No.

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●7. Who has the responsibility for confirming the receipt of assurances of compliance?

● Assurances of Compliance to Federal Agencies

If financial assistance is requested from a federal agency, that agency confirms receipt of the assurance.

Assurances of Compliance to State Agencies

If the request for financial assistance is made to a state agency, that agency confirms receipt of the assurance.

●8. Which section within a department has the responsibility for submitting or requesting assurances of compliance?

● Typically, the fiscal, personnel, or administrative offices have the responsibility for submitting assurances.

●9. Where can Program Access Coordinators find information regarding which federal departments provide their department with financial assistance?

● Departmental fiscal offices and/or accounting offices are responsible for knowing whether federal financial assistance is received and from which federal departments.

For general information on the names, missions, and organizational components of federal departments, see:

U.S. Government Manual. Office of the Federal Register, National Archives Record Service, General Services Administration, Washington, D.C., January 1, 1981.

●10. Can a federal agency audit to determine whether assurances of compliance are being implemented and do they have any enforcement authority?

● Yes, the agency that confirms receipt of the assurance for compliance may audit and investigate to determine whether

compliance with legal mandates is occurring. The level of an audit or investigation may include consideration of the treatment of candidates or participants in current and past programs.

If the recipient of financial assistance is found to be out of compliance, the funding agency may require specific actions by the recipient.

If the recipient fails or refuses to voluntarily comply, three types of enforcement action may be taken:

- a. Administrative proceedings to suspend, terminate, or refuse to grant or continue federal financial assistance to the recipient;
- b. Referral of the case to the U.S. Department of Justice for administrative and/or legal proceedings;
- c. File the case with the court system for legal enforcement.

● 11. Can a state agency audit to determine whether assurances of compliance submitted by contractors, subcontractors, grantees, or local agencies are being implemented?

- Yes, the agency that confirms receipt of the assurance of compliance may audit and investigate to determine whether compliance with legal mandates is occurring.

● 12. What are some resources that provide information on the types and legal requirements of assurances of compliance?

- a. Federal department regulations implementing Title V, Section 504 of the Rehabilitation Act of 1973;
- b. Policies on assurances from the federal department providing financial assistance;
- c. Consultations with the fiscal and administrative offices of the federal department providing financial assistance;
- d. California Administrative Code, Title 22, Sections 98000-98413, on Discrimination in State Supported Programs and Activities;
- e. Statewide Guidelines on Program Accessibility for Persons with Disabilities. Office of Statewide Compliance Coordination. Sacramento, California, November, 1981.

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FUNDING SOURCES FOR PROGRAM ACCESS

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FUNDING SOURCES FOR PROGRAM ACCESS

Definition

Funding sources for program access include state and federal revenues as well as community agencies, private businesses and industry, and foundations which might be contacted as potential sources of money and for other resources.

Role of Program Access Coordinator

Be aware of funds and resources which are available to the department to enable it to develop a workplan, conduct an evaluation, and implement the necessary modifications to achieve program access.

Serve as a resource to other departmental personnel for potential sources of funds for program access.

Be aware of the department's budget request and approval process and appropriately relate it to the identification of funds to achieve program access.

Be aware of the department's policies and procedures for obtaining monies and resources from non-governmental sources.

●1. How have most California state department projects for program access been funded in the past?

- Traditionally California has primarily depended upon state revenues from departments' budgets. In contrast, other states (e.g., Minnesota and Texas) have frequently utilized funds and resources from a combination of state and private foundation funding.

●2. Why are funds and resources in addition to California State revenues now necessary?

- California state government is experiencing a reduction in funding for state operations. As a result of inflation and the passage of the Jarvis-Gann Initiative in 1979, which reduced tax revenues, the federal government level of financial assistance to states has dramatically decreased.

●3. How does the federal government provide funding to states for program access?

- The federal government does not have a special budgetary category for program access.

However, federal revenues and services to states are allocated through several methods and a variety of projects. Requests for some of these, such as Project Grants and Research Contracts, may be made directly by states for program access projects. The following methods are used by the federal government to allocate funds and services:

Funding Methods:

a. Project Grants. The funding for project grants is provided for fixed or known periods of time for specific projects or for the delivery of specific services or products. Project grants include fellowships, research grants, training grants, traineeships, experimental and demonstration grants, survey grants, construction grants, and unsolicited contractual agreements.

b. Research Contracts. Research contracts are federal assistance designed to support research in situations where the transmission of funds would be better handled through

contracts rather than through grants. Research contracts are for personal or professional services, or for any service to be rendered by a university, college, hospital, public agency, or nonprofit research institution. The principal purpose of such contracts is to create, develop, or improve products or to operate programs which benefit the public.

c. Formula Grants. The money on formula grants is allocated in accordance with a distribution formula prescribed by law or administrative regulation concerning activities of a continuing nature that are not confined to a specific project.

d. Direct Payments for Specified Use. Financial assistance from the federal government can be provided directly to individuals, private firms, and other private institutions to encourage or subsidize a particular activity.

Services:

a. Provision of Specialized Services. Specialized services are programs which provide federal personnel to directly perform services for the benefit of communities or individuals.

b. Advisory Services and Counseling. These programs provide federal specialists who consult with, advise, or counsel communities or individuals. The services may include conferences, workshops, or published information.

c. Dissemination of Technical Information. These programs provide for the publication and distribution of information or data of a specialized technical nature, frequently through clearinghouses or libraries. This does not include conventional public information services designed for the general public.

d. Training. Training programs provide instructional activities conducted directly by a federal agency for individuals who are not employed by the federal government.

e. Investigation of Complaints. Investigations are initiated in response to requests from outside the federal government, to examine or investigate alleged violations of federal statutes, policies, or procedures.

● 4. What are some recent examples of program access projects in California which have received funds or resources?

● EMPLOYMENT PROJECTS

a. Recruitment, Selection, and Training

- 1) To train people with handicaps in computer skills, the Los Angeles Urban League, in a joint project with IBM Corporation, received \$49,509 from Bankamerica Foundation.
- 2) To assist people with handicaps to enter the job market and work competitively, Sensory Aids Foundation in Palo Alto received \$25,000 from the Goldman Foundation.
- 3) To provide job training and skills for people with mental, emotional, and physical handicaps, the San Francisco Community Rehabilitation Workshop received \$5,000 from the San Francisco Foundation.

b. Sheltered Workshop Programs

- 1) To help defray the cost of a sheltered employment workshop for people with handicaps, Marin Community Workshop received \$25,000 from Bankamerica Foundation.
- 2) For general maintenance of their sheltered workshop program, Goodwill Industries of San Francisco received \$18,073 from the Cowell Foundation.
- 3) For general maintenance and support of the program, Pomona Valley Workshop received \$10,000 from the Steele Foundation.
- 4) For general maintenance and support of the program, Goodwill Industries of Santa Ana received \$9,000 from the California Community Foundation.
- 5) For general maintenance and support of the program, Goodwill Industries of Los Angeles received \$5,000 from the Murphy Foundation.

c. Sheltered Workshop--Transportation

To purchase a van with a side lift for providing transportation for people with handicaps to the sheltered workshop program, Goodwill Industries of Southern California received \$14,250 from the Ahmanson Foundation.

d. Research and Evaluation

1) To implement a California site for national research and demonstration aimed at evaluating a structured approach to facilitate the competitive employment of mentally retarded youth, the California Institute on Human Services at Sonoma State University received \$250,000 from the Manpower Demonstration Research Corporation.

2) To prepare and print a Sourcebook on the establishment of account relationships between public and private rehabilitation agencies and major businesses and industries, the California Institute on Human Services received \$36,000 from The Times Mirror Company.

SERVICE PROJECTS

a. General Social Services

1) To establish the agency and provide service to people with disabilities in the community, the Marin Center for Independent Living in Kentfield received \$138,975 from the San Francisco Foundation.

2) To provide social services for people with handicaps, the Center for Independent Living of San Francisco received \$50,284 from the San Francisco Foundation.

b. Recreation

1) For general maintenance and support of the program, San Francisco Recreation Center received \$25,000 from the Cowell Foundation.

2) To develop and implement recreation programs for people with physical disabilities, the Berkeley Outreach Recreation Program received \$10,000 from the San Francisco Foundation.

3) To help provide recreation programs for people with handicaps, the San Francisco Recreation Center received \$5,000 from the Moody Foundation and \$5,000 from the Gilbert Foundation.

c. Research

To research and implement alternatives to government supported services through non-profit organizations or private contributions, the Association of Bay Area Governments of Berkeley received \$46,350 from the San Francisco Foundation.

d. Education--General

1) To encourage and implement access for people with handicaps to the education system in California through community participation, California State Department of Education received \$33,000 from the Mott Foundation.

2) To promote understanding and acceptance of children with handicaps within the school system, Easter Seal Society in Mill Valley received \$15,000 in two grants of \$7,500 each from the Skaggs Foundation.

e. Community Education

To develop a community education program for people with handicaps, Alameda County Office of Education received \$14,814 from the Mott Foundation.

f. Environmental Education

To provide environmental education for children with mental and physical disabilities, the Elizabeth Terwilliger Nature Educational program in Tiburon received \$60,000 from the San Francisco Foundation.

g. Vocational Education for Children

1) For occupational therapists to demonstrate the value of early vocational training for children with handicaps, the Palo Alto Unified School District, Loma Vista Orthopedic Unit, received \$12,000 from the Hancock Foundation.

2) To develop vocational skills for children with handicaps at a special school project in Santa Clara County, the Hope Rehabilitation Service of San Jose received \$9,000 from the Packard Foundation.

h. Auxiliary Aids and Support Services

1) To develop an interpreter pool program, Deaf Counseling Advocacy and Referral Agency of Oakland received \$27,453 from the San Francisco Foundation.

2) The donation of teletypewriters and \$7,500 for vocational rehabilitation of people with hearing impairments was received by the Far West TTY from the Zellerbach Family Fund.

Additional examples of resources for service projects in California include:

3) Taped educational materials for students who are blind and physically disabled are available free of charge from:

Recording for the Blind, Inc.
215 East 58th Street
New York, NY 10022

There are currently approximately 42,000 titles available and 20 distribution centers throughout the country.

4) Volunteer typing service, short-term attendant care, and one-time use of office equipment for people with handicaps are often available from consumer and service groups such as the Paralyzed Veterans of America and the Easter Seal Society.

ARCHITECTURAL ACCESS PROJECTS

a. New Structures

To build a bridge in order to allow access to the facility for clients with handicaps, the Salinas Community YMCA received \$5,000 from the California Community Foundation.

b. Existing Structures

1) To renovate a building to provide access for people with handicaps, the Ability Building Center of San Francisco received \$73,515 from the McKnight Foundation.

2) To help defray the cost of renovating the building to provide access for clients with handicaps, the Saint Vincent de Paul Society in San Francisco received \$25,000 from the Cowell Foundation.

3) To remodel the office to provide facility access and improved services for clients with handicaps, the Riverside Volunteer Center received \$7,500 from the California Community Foundation.

●5. What are some types of private foundation projects in other states which are related to nondiscrimination and fair treatment of disabled persons?

● EMPLOYMENT PROJECTS

a. Training

1) To create on-the-job experiences for people with handicaps in community planning functions, the United Cerebral Palsy Association of Michigan received \$7,500 from:

The Moody Foundation
704 Moody National Bank Bldg.
Galveston, TX 77550

b. Job Placement

1) To establish an employment planning and job placement program for adults with handicaps who have completed vocational rehabilitation programs, the city of Spring Lake Park in Minnesota received \$13,000 from:

The McKnight Foundation
c/o Northwestern National Bank of Minneapolis
Minneapolis, MN 55480

c. Employment

1) To facilitate the entry of people with handicaps into regular jobs and schools in the community, the Main-Stream Association in Washington, D.C. received \$5,000 from:

The Prudential Foundation
15th Floor, Prudential Plaza
Newark, NJ 07101

2) To help defray the cost of new kitchen facilities, thereby enabling the employment of more local residents with disabilities, the Capabilities Corporation in Elmira, New York received \$5,000 from:

The Gannett Foundation, Inc.
Lincoln Tower
Rochester, NY 14604

SERVICE PROJECTS

a. General Social Services

1) To maintain and improve services for people with handicaps, the Human Services Association of New York received \$66,027 from:

The Rockefeller Foundation
1133 Avenue of the Americas
New York, NY 10017

b. Education

1) To train volunteer parents to help the school system provide individualized treatment and education for children with handicaps, the New York City School System received \$33,000 from:

The New York Community Trust
415 Madison Avenue
New York, NY 10017

2) To help defray the cost of developing and implementing educational programs for people with sensory impairments, the South Carolina School System received \$10,000 from:

The Mott Foundation
Mott Foundation Building
Flint, MI 48502

3) To help support and maintain their speech therapy program in the public schools, Bexar County, Texas, received \$9,186 from:

The Levi Strauss Foundation
Two Embarcadero Center
San Francisco, CA 94106

c. Adult Education

1) To develop and provide adult education for people with handicaps, the Talledega College of Michigan received \$159,224 from:

The Mott Foundation
Mott Foundation Building
Flint, MI 48502

d. Education/Transportation

1) To improve services to students with handicaps including the provision of a transportation component, the Ivan Hills Community College in Minnesota received \$20,000 from:

The Bremer Foundation
700 Northwestern National Bank Bldg.
St. Paul, MN 55101

4
e. Recreation

1) To assist in purchasing a handicapped accessible bus to increase accessibility of the department's recreation programs to citizens with handicaps, the El Paso City Department of Parks and Recreation received \$8,500 from:

The Levi Strauss Foundation
Two Embarcadero Center
San Francisco, CA 94106

f. Auxiliary Aids/Support Services

1) To purchase a Kurzweil Reading Machine in order to better serve people with visual impairments in Chicago, the Chicago Public Library received \$10,000 from:

Chicago Community Trust
208 South La Salle Street
Chicago, IL 60604

ARCHITECTURAL ACCESS PROJECTS

a. Cultural/Community

1) To improve the interior facilities of the building and to remove physical barriers to people with handicaps, the Detroit Institute of Art Founders Society in Michigan received \$916,000 from:

Kresge Foundation
2401 West Big Beaver Road
Troy, MI 48084

2) To renovate the center in order to better serve people with handicaps, the Alley Pond Environmental Center in New York received \$15,000 from:

The Hyden Foundation
One Bankers Trust Plaza
130 Liberty Street
New York, NY 10006

3) To provide better access for people with handicaps, the Wadsworth Athenaeum Museum in Connecticut received \$300,000 from:

The Hartford Foundation for Public Giving
45 South Main Street
West Hartford, CN

4) To help defray the cost of restoring the old theater district in New York City and to better improve its accessibility to people with handicaps, the city of New York received \$150,000 from:

The Ford Foundation
320 East 43rd Street
New York, NY 10017

5) To install a wheelchair lift to facilitate the access of people with handicaps, the Globe Theatre in Odessa, Texas received \$9,000 from:

The Moody Foundation
704 Moody National Bank Building
Galveston, TX 77550

6) To improve and to make the city parks accessible to people with handicaps, the city of Allentown in Pennsylvania received \$325,417 from the Harry C. Trexler Estate.

b. Industry

1) To install a passenger elevator and a rear exit stairwell in order to facilitate access for people with handicaps, the Minnesota Diversified Industries received \$80,000 from:

The Bush Foundation
E-900 First National Bank Building
Saint Paul, MN 55101

c. Campus

1) To remove all the architectural barriers to students with handicaps, Fordham University in Bronx, New York received \$75,000 from the Moody Foundation.

2) To make the swimming pool accessible to students with handicaps, the Austin State School in Texas received \$50,000 from the Moody Foundation.

3) For renovations to buildings on the campus to provide accessibility for people with handicaps, the College of St. Thomas in Minnesota received \$31,000 from:

The General Mills Foundation
92000 Wayzata Blvd.
P.O. Box 1113
Minneapolis, MN 55426

4) To renovate the music building and to remove architectural barriers in order to allow access to students with handicaps, Augsburg College in Minneapolis, Minnesota received \$25,000 from the General Mills Foundation and \$25,000 from:

The Honeywell Foundation, Inc.
275 West Market Street
P.O. Box 432
Wabash, IN 46992

5) For building expansion to accommodate more students with handicaps, the Madonna College, Lovinie, Michigan received \$25,000 from:

The Silkman Foundation
333 West Fort Street, Suite 1350
Detroit, Michigan 48226

6) To purchase an elevator for handicapped student access, Mount Saint Joseph College in Baltimore, Maryland received \$10,000 from:

The Community Foundation of the Greater
Internal Baltimore Area
Six East Hamilton Street
Baltimore, MD 21202

● 6. What are some organizations that have funded projects relating to employment opportunities, recipient services, or architectural accessibility during the past five years?

● California Foundations

- Abelar Foundation, Inc., The
818 Cherry Street
Santa Rosa 95404 (707) 527-8800

Purpose and Activities: General purposes; general giving, largely in New York, California, and the South, with emphasis on protection of civil rights and civil liberties; support for programs designed to achieve social, political, and economic equality for urban and rural poor. No grants for scholarships, to individuals, or for building or endowment funds. Report published annually.

Financial Data (yr. ended 12/31/79):
Assets, \$852,001 (M); gifts received, \$215,500; expenditures, \$194,020, including \$155,075 for 35 grants (high: \$20,750; low: \$300).

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by full proposal in 1 copy or letter; submit proposal in November through February or May through August; board meets semiannually in April and October.

- **Ahmanson Foundation, The**
3731 Wilshire Boulevard
Los Angeles 90010 (213) 383-1381

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on education, the arts and humanities, medicine, and health; support also for religious organizations and a broad range of social welfare programs. No grants to individuals.

Financial Data (yr. ended 10/31/79): Assets, \$162,326,732 (M); expenditures, \$8,010,977, including \$6,793,519 for 372 grants (high: \$500,000; low: \$500).

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter; submit 1 copy of proposal; board meets quarterly and as required.

- **Albertson Foundation, The**
3600 Wilshire Boulevard, Room 2114
Los Angeles 90010

Purpose and Activities: Broad purposes; local giving, with emphasis on higher and secondary education, hospitals, and ear and cancer research.

Financial Data (yr. ended 12/31/79): Assets, \$1,070,369 (M); expenditures, \$70,703, including \$60,300 for 7 grants (high: \$25,000; low: \$100).

- **Arakelian (K.) Foundation**
56372 Road 200
O'Neals 93645

Purpose and Activities: Charitable and educational purposes; student loan funds established at five higher educational institutions which administer them; charitable giving largely for hospitals; support also for health agencies, community funds, education, the aged, and youth agencies. Grants limited to the area of Fresno and Madera counties.

Financial Data (yr. ended 12/31/79): Assets, \$1,591,037 (M); expenditures, \$97,869, including \$60,277 for 47 grants (high: \$6,300; low: \$15).

- **Arata Brothers Trust**
P.O. Box 430
Sacramento 95820

Purpose and Activities: Primarily local giving, with emphasis on hospitals, higher education, and religion.

Financial Data (yr. ended 12/31/79): Assets, \$2,187,261 (M); expenditures, \$5,489.

- **Arkelian (Ben H. and Gladys) Foundation**
1107 Truxtun Avenue
P.O. Box 1825
Bakersfield 93303

Purpose and Activities: Primarily local giving, with emphasis on higher education, youth agencies, hospitals, and the aged.

Financial Data (yr. ended 12/31/79): Assets, \$1,428,086 (M); expenditures, \$114,482, including \$91,025 for 23 grants (high: \$10,000; low: \$100).

- **Associated Foundations Incorporated**
600 South Commonwealth Avenue, Suite 1300
Los Angeles 90005 (213) 480-0821

Purpose and Activities: Primarily local giving for higher education. No grants to individuals.

Financial Data (yr. ended 8/31/79): Assets, \$2,320,000 (M); expenditures, \$129,961, including \$101,488 for 23 grants (high: \$10,000; low: \$1,000).

Grant Application Information: Board meets annually on the second Wednesday of October and as required.

- **Atlantic Richfield Foundation, The**
515 South Flower Street
Los Angeles 90071 (213) 416-3342

Purpose and Activities: General purposes; support largely for higher education, community funds, the arts, environmental programs, and hospital building funds where there is a usage factor by ARCO employees, mainly in areas of Company operations. No grants to individuals, for endowment funds, sectarian religious organizations, fraternal organizations or social clubs, veterans' organizations, specialized health organizations, or political or labor organizations. Report published annually.

Financial Data (yr. ended 12/31/79): Assets, \$18,769,521 (L); gifts received, \$19,000,000; expenditures, \$13,116,853, including \$12,512,791 for 604 grants (high: \$1,087,365; low: \$1,000) and \$571,160 for 1,935 matching gifts.

Grant Application Information: Grant application guidelines available in annual report; initial approach by letter or full proposal in 1 copy; submit proposal preferably in beginning of year; board meets quarterly in March, June, September, and December.

- **Babcock (William) Memorial Endowment**
1601 Second Street, Suite 106
San Rafael 94901 (415) 453-0901

Purpose and Activities: To meet through grants or loans the exceptional medical, surgical, and hospital expenses of residents of Marin County; project grants to institutions for initiation or expansion of medical care services of direct benefit to residents of the county.

Financial Data (yr. ended 2/29/80): Assets, \$2,676,317 (M); gifts received, \$2,392; expenditures, \$236,497, including \$158,911 for 193 grants (high: \$7,358; low: \$53).

Grant Application Information: Grant application guidelines available; initial approach by letter or telephone; submit 10 copies of proposal; board meets monthly.

- **Bacon (The Francis) Foundation, Inc.**
655 North Dartmouth Avenue
Claremont 91711 (714) 624-6305

Purpose and Activities: To promote study in science, literature, religion, history, and philosophy with special reference to the works of Francis Bacon, his character and life, and his influence on his own and succeeding times; maintenance of a rare-book library for research and reference; grants to various educational institutions generally for visiting professors and lecturers. Grants restricted to privately operated colleges and universities in California. No grants to individuals, for building and endowment funds, or operating budgets.

Financial Data (yr. ended 12/31/79): Assets, \$1,530,419 (M); expenditures, \$62,671, including \$5,150 for 5 grants (high: \$3,700; low: \$50) and \$57,521 for programs.

Grant Application Information: Initial approach by letter or full proposal in 1 copy; submit proposal preferably in March; board meets bimonthly.

- **Baker (The R. C.) Foundation**
P.O. Box 6150
Orange 92667

Purpose and Activities: Broad purposes; emphasis on higher education, including scholarships administered by selected colleges and universities; some support for youth agencies, hospitals and health agencies, community funds, and welfare. No grants to individuals or for endowment funds.

Financial Data (yr. ended 12/31/79): Assets, \$25,616,120 (M); expenditures, \$1,383,807, including \$1,324,050 for 321 grants (high: \$162,500; low: \$300).

Grant Application Information: Initial approach by covering letter with full proposal in 1 copy; submit proposal in April or October; application deadlines May 15 and November 15; board meets semiannually in June and December.

- **Baker (The Solomon R. and Rebecca D.) Foundation, Inc.**
404 North Roxbury Drive
Beverly Hills 90210

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on medical research, Jewish welfare funds, higher education, and cultural programs.

Financial Data (yr. ended 4/30/80): Assets, \$1,825,636 (M); gifts received, \$50,000; expenditures, \$83,493, including \$76,525 for 19 grants (high: \$63,000; low: \$100).

- **Bank of America-Giannini Foundation**
Bank of America Center
Box 37000
San Francisco 94137 (415) 622-4771

Purpose and Activities: Medical research fellowships for advanced applicants sponsored by accredited medical schools in California; support also for education and care of the aged.

Financial Data (yr. ended 12/31/79): Assets, \$5,543,350 (M); gifts received, \$19,320; expenditures, \$381,159, including \$136,151 for 13 grants (high: \$27,750; low: \$44) and \$225,217 for 41 fellowships.

Grant Application Information: Grant application guidelines available; initial approach by letter or telephone; application form required; submit 1 copy of proposal between September and December; application deadline December 1; board meets annually in March.

- **BankAmerica Foundation**
Bank of America Center
P.O. Box 37000
San Francisco 94137 (415) 622-2698

Purpose and Activities: To serve the general purpose of social and economic betterment by selective grants in the fields of higher education and community improvement; makes grants in the area of health and welfare primarily through local United Way organizations. Generally no grants to individuals, endowments, tax-supported endeavors, or specific projects in the fields of health, welfare, and education. Primarily limited to programs with community-wide support in California communities where the Bank has branches. Report published annually.

Financial Data (yr. ended 12/31/79): Assets, \$22,415,098 (M); gifts received, \$5,607,981; expenditures, \$7,055,711, including \$6,759,966 for 487 grants (high: \$649,000; low: \$100) and \$251,298 for 1,022 matching gifts.

Grant Application Information: Grant application guidelines available; initial approach by letter or full proposal; submit 1 copy of proposal; distribution committee meets monthly.

- **Battistone Foundation**
3760 State Street
P.O. Box 3858
Santa Barbara 93105

Purpose and Activities: To finance low-income housing for economically disadvantaged persons; grants to local charitable organizations.

Financial Data (yr. ended 12/31/79): Assets, \$5,280,030 (M); expenditures, \$217,287, including \$2,315 for 12 grants (high: \$1,000; low: \$15).

- **Bechtel Foundation**
50 Beale Street
San Francisco 94105 (415) 764-5974

Purpose and Activities: Broad purposes, with emphasis on grants to community funds and to organizations related to some aspect of the engineering business and construction. No grants to individuals, religious organizations, for endowment funds, or special projects.

Financial Data (yr. ended 10/31/79): Assets, \$7,227,749 (M); gifts received, \$900,000; expenditures, \$1,116,208, including \$1,001,600 for 298 grants (high: \$140,000; low: \$50) and \$99,605 for matching gifts.

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; board meets annually.

- **Beckman (Arnold and Mabel) Foundation**
107 Shorecliff Road
Corona Del Mar 92625

Purpose and Activities: Support primarily for higher education, scientific and medical research, and free enterprise.

Financial Data (yr. ended 8/31/80): Assets, \$10,130,956 (M); gifts received, \$1,024,000; expenditures, \$1,002,224, including \$980,375 for 6 grants (high: \$750,000; low: \$1,500).

- **Bekins (Milo W.) Foundation**
1335 South Figueroa Street
Los Angeles 90015

Purpose and Activities: To assist various charitable and educational institutions, with emphasis on higher education; support also for hospitals, youth agencies, and community funds.

Financial Data (yr. ended 12/31/79): Assets, \$1,071,045 (M); expenditures, \$76,043, including \$73,700 for 66 grants (high: \$30,000; low: \$100).

- **Berkey (Peter) Foundation**
1270-A Coast Village Circle
Santa Barbara 93108

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on health agencies, hospitals, youth agencies, community funds, and higher education. Applications for grants are not invited.

Financial Data (yr. ended 12/31/79): Assets, \$1,204,991 (M); expenditures, \$79,137, including \$74,711 for 52 grants (high: \$8,500; low: \$100).

- **Berry (The Lowell) Foundation**
One Kaiser Plaza, Suite 890
Oakland 94612

Purpose and Activities: Broad purposes; support largely in the San Francisco Bay Area for Protestant church-related religious and educational programs and institutions; grants also for higher education, youth agencies, hospitals, health agencies, and community funds. No grants to individuals.

Financial Data (yr. ended 8/31/79): Assets, \$8,115,773 (M); expenditures, \$358,104, including \$279,991 for grants (high: \$100,000).

- **Beynon (The Kathryn) Foundation**
611 West Sixth Street, Suite 3320
Los Angeles 90017

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on hospitals, youth agencies, child welfare, and higher education.

Financial Data (yr. ended 10/31/79): Assets, \$2,624,453 (M); expenditures, \$159,447, including \$117,000 for 12 grants (high: \$28,000; low: \$1,000).

- **Bing Fund**
9700 West Pico Boulevard
Los Angeles 90035

Purpose and Activities: Charitable purposes; primarily local giving, with emphasis on music, including free performances for children, art, cancer research and treatment, higher education, population control, and community television. No grants to individuals.

Financial Data (yr. ended 2/28/79): Assets, \$1,971,310 (M); gifts received, \$15,378; expenditures, \$98,096, including \$95,900 for 40 grants (high: \$25,000; low: \$200).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; board meets quarterly.

- **Bireley Foundation, The**
900 Wilshire Boulevard, Suite 1520
Los Angeles 90017 (213) 623-2336

Purpose and Activities: Grants mainly to a local medical school and children's hospital for research and treatment of adolescent skin diseases. Support also for local higher education, hospitals, and health agencies. No grants to individuals.

Financial Data (yr. ended 12/31/79): Assets, \$3,811,423 (M); expenditures, \$324,456, including \$273,250 for 25 grants (high: \$50,000; low: \$500).

Grant Application Information: Initial approach by letter or full proposal in 2 copies; submit proposal preferably between January and June; board meets quarterly and as required.

- **Bohnett (Vi) Memorial Foundation**
3760 State Street
Santa Barbara 93105

Purpose and Activities: Grants largely for youth agencies and education, including scholarships.

Financial Data (yr. ended 12/31/79): Assets, \$1,762,900 (M); expenditures, \$79,933, including \$46,050 for 18 grants (high: \$10,000; low: \$100) and \$13,000 for 11 scholarships.

- **Bothin Helping Fund, The**
215 Market Street, Suite 1313
San Francisco 94105 (415) 495-0611

Purpose and Activities: Primarily local giving, with emphasis on community activities, cultural programs, health, minorities, and youth. No grants to individuals or to religious organizations; or educational institutions except those directly aiding the developmentally disabled.

Financial Data (yr. ended 12/31/79): Assets, \$9,335,744 (M); expenditures, \$557,354, including \$439,882 for 71 grants (high: \$44,394; low: \$250).

Grant Application Information: Grant application guidelines available; initial approach by letter; submit 1 copy of proposal; board meets quarterly in February, May, August, and November.

- **Braun Foundation**
c/o Donald R. Spuehler
611 West Sixth Street, Room 3500
Los Angeles 90017

Purpose and Activities: Charitable purposes; primarily local giving, with emphasis on hospitals, elementary and secondary schools, art education, museums, libraries, and social services.

Financial Data (yr. ended 12/31/79): Assets, \$1,424,981 (M); expenditures, \$413,894, including \$409,510 for 51 grants (high: \$50,000; low: \$500).

- **Brenner (The Mervyn L.) Foundation, Inc.**

111 Sutter Street
San Francisco 94104

Purpose and Activities: General purposes; primarily local giving, with emphasis on hospitals, Jewish welfare funds, health and youth agencies, cultural organizations, and higher education.

Financial Data (yr. ended 8/31/79): Assets, \$1,262,640 (M); expenditures, \$86,070, including \$73,000 for 38 grants (high: \$7,500; low: \$500).

- **Brown Foundation, Inc.**
251 South Lake Avenue, Suite 606
Pasadena 91101

Purpose and Activities: General giving, with emphasis on community funds, higher education, and youth agencies.

Financial Data (yr. ended 11/30/79): Assets, \$109,958 (L); gifts received, \$200,000; expenditures, \$183,136, including \$182,957 for 98 grants (high: \$13,000; low: \$25).

- **Bull (Henry W.) Foundation, The**
c/o Wells Fargo Bank
9600 Santa Monica Boulevard
Beverly Hills 90210 (213) 550-2468

Purpose and Activities: Grants primarily for higher education, handicapped, health, humane societies, church support, and community funds. No grants to individuals or for building or endowment funds.

Financial Data (yr. ended 12/31/79): Assets, \$2,630,232 (M); expenditures, \$203,615, including \$178,800 for 56 grants (high: \$20,000; low: \$500).

Grant Application Information: Initial approach by full proposal in 1 copy; board meets monthly.

- **Burnand (The Alphonse A.) Medical and Educational Foundation**
503 The Mall
P.O. Box 8
Borrego Springs 92004 (714) 767-5314
Purpose and Activities: Primarily local giving, with emphasis on higher education, hospitals, and the handicapped. No grants to individuals or for endowment funds.
Financial Data (yr. ended 12/31/79): Assets, \$1,580,577 (M); expenditures, \$55,451, including \$42,345 for 16 grants (high: \$21,000; low: \$100).
Grant Application Information: Initial approach by letter; submit 1 copy of proposal in October; board meets as required, at least semiannually.

- **Burns (Fritz B.) Foundation**
(formerly The Burns Foundation)
4950 Wilshire Boulevard
Los Angeles 90010
Purpose and Activities: Broad purposes; primarily local giving, with emphasis on hospitals, cultural programs, and Roman Catholic religious associations and church support.
Financial Data (yr. ended 9/30/79): Assets, \$9,364,192 (M); gifts received, \$176,902; expenditures, \$152,138, including \$84,841 for 143 grants (high: \$25,000; low: \$10).

- **California Community Foundation**
1644 Wilshire Boulevard
Los Angeles 90017 (213) 413-4042
Purpose and Activities: Grants exclusively to organizations in Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties; support for day care, preschool, elementary and secondary education, mental health, substance abuse, handicapped, aged, family services, community services, children, and youth programs. No grants to individuals, for building or endowment funds, or operating budgets. Report published annually.
Financial Data (yr. ended 8/31/79): Assets, \$23,364,956 (M); gifts received, \$904,016; expenditures, \$1,534,958, including \$1,324,253 for 199 grants (high: \$186,410; low: \$25).
Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter; application form required; submit 1 copy of proposal preferably between January and June; application deadline June 30; board meets 3 times a year in March, July, and November.

- **Christensen Fund, The**
780 Welch Road, Suite 100
P.O. Box 954
Palo Alto 94302
Purpose and Activities: Broad purposes; to display art objects in museums and support higher educational institutions.
Financial Data (yr. ended 11/30/79): Assets, \$3,495,712 (M); gifts received, \$1,615,375; expenditures, \$431,310, including \$379,063 for 9 grants (high: \$265,313; low: \$1,000).

- **Civitas Fund**
10880 Wilshire Boulevard, Suite 2003
Los Angeles 90024
Purpose and Activities: Broad purposes; interests include providing care for the aged in the San Diego area.
Financial Data (yr. ended 12/31/79): Assets, \$2,618,138 (M); gifts received, \$201,625; expenditures, \$255,441, including \$250,044 for 3 grants (high: \$200,044; low: \$2,000).

- **Coburn (The Maurine Church) Charitable Trust**
P.O. Box 530
Pebble Beach 93953
Purpose and Activities: Primarily local giving, with emphasis on education, Protestant church-related institutions, a health facility, cultural programs, a community fund, and social agencies.
Financial Data (yr. ended 9/30/79): Assets, \$8,163,611 (M); gifts received, \$8,328,267; expenditures, \$694,000, including \$684,501 for 24 grants (high: \$125,000; low: \$500).

- **Columbia Foundation**
1805 Mills Tower
220 Bush Street
San Francisco 94104 (415) 986-5179
Purpose and Activities: General purposes; giving primarily to institutions in northern California, mainly in the San Francisco Bay Area, with emphasis on the arts, environment, human rights and the disadvantaged, community development, neighborhood revitalization, and world peace. No grants to individuals, for building or endowment funds, or operating budgets; generally does not fund projects in medicine and religion.

Financial Data (yr. ended 5/31/80): Assets, \$12,196,491 (M); expenditures, \$600,146, including \$500,850 for 32 grants (high: \$100,000; low: \$100).

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter; application form required; submit 1 copy of proposal preferably 2 months prior to board meeting; board meets 3 times a year in April, August, and December.

- **Cowell (S. H.) Foundation**
350 Sansome Street, Suite 620
San Francisco 94104 (415) 397-0285

Purpose and Activities: Grants for charitable, educational, health, and scientific purposes. Giving limited to organizations in northern California for programs aiding the handicapped, primary and secondary private schools, other educational programs, community organizations, youth agencies, cultural programs, and social rehabilitation services. No grants to individuals, for operating budgets, endowment funds, hospitals, media programs, seminars or conferences, publication projects, or sectarian religious purposes. Report published annually.

Financial Data (yr. ended 9/30/79): Assets, \$49,505,049 (M); expenditures, \$2,500,553, including \$2,403,514 for 70 grants (high: \$125,000; low: \$1,000).

- **Crocker National Bank Foundation**
611 West Sixth Street, Room 1390
Los Angeles 90017 (213) 612-8737

Purpose and Activities: Broad purposes; grants largely for secondary and higher education; support also for community funds. No grants to individuals. Report published annually.

Financial Data (yr. ended 12/31/79): Assets, \$2,514,190 (M); gifts received, \$900,000, expenditures, \$888,573, including \$887,800 for 364 grants (high: \$172,431; low: \$10).

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by full proposal in 1 copy; board meets quarterly in February, May, September, and November.

- **Crown Zellerbach Foundation**
235 Montgomery Street, Suite 1527
San Francisco 94104 (415) 398-0600

Purpose and Activities: Grants made selectively to qualified organizations, primarily in the fields of higher education, international understanding, community welfare, health, rehabilitation, and related areas. No grants directly to individuals.

Financial Data (yr. ended 12/31/79): Assets, \$14,296,031 (M); expenditures, \$1,268,426, including \$1,008,400 for 215 grants (high: \$145,000; low: \$1,000).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; board meets as required.

- **Day (Willametta K.) Foundation**
800 West Sixth Street, Room 1400
Los Angeles 90017

Purpose and Activities: Charitable purposes; support for higher education, secondary education, and hospitals, primarily in Nevada and California. No grants to individuals.

Financial Data (yr. ended 12/31/79): Assets, \$2,155,959 (M); expenditures, \$60,351, including \$57,815 for 10 grants (high: \$15,000; low: \$1,815).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; board meets annually.

- **de Guigne (Christian) Memorial Foundation**
c/o O'Donnell, Waiss, Wall and Meschke
One Embarcadero Center, Suite 2201
San Francisco 94111 (415) 434-3323

Purpose and Activities: Broad purposes; giving limited to the San Francisco Bay Area, with emphasis on higher and secondary education, hospitals, and health agencies; support also for a French medical institution. No grants to individuals, for building or endowment funds, or for special projects.

Financial Data (yr. ended 12/31/79): Assets, \$2,850,043 (M); expenditures, \$242,383, including \$231,485 for 8 grants (high: \$40,000; low: \$16,000).

- **Disney Foundation**
 500 South Buena Vista Street
 Burbank 91521 (213) 840-1006

Purpose and Activities: General purposes; grants generally limited to central Florida and Los Angeles and Orange County, California, with emphasis on youth and child welfare agencies, hospitals, higher education, cultural programs, and community funds in areas where businesses are located. No grants to individuals or for endowment funds.

Financial Data (yr. ended 9/30/79): Assets, \$1,223,558 (M); gifts received, \$619,662; expenditures, \$745,656, including \$739,334 for 158 grants (high: \$50,000; low: \$150).

Write: Doris A. Smith, Secretary.

Grant Application Information: Grant application guidelines available; initial approach by letter or full proposal in 1 copy; board meets annually between January and May.
- **Doheny (Carrie Estelle) Foundation**
 714 West Olympic Boulevard, Room 510
 Los Angeles 90015 (213) 748-5111

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on hospitals, Roman Catholic churches and church-related organizations, ophthalmological research, child welfare, higher and secondary education, health agencies, community funds, and aid to the handicapped. No grants to individuals or for endowment funds.

Financial Data (yr. ended 12/31/79): Assets, \$41,768,539 (M); expenditures, \$1,256,187, including \$943,907 for 76 grants (high: \$298,607; low: \$200).

Write: Very Rev. W.G. Ward, C.M., Chairman.

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; board meets monthly.
- **Domino Foundation**
 343 East Jefferson Boulevard
 Los Angeles 90011

Established in 1974 in California.

Purpose and Activities: Giving primarily in California and New York, with emphasis on Jewish welfare funds; support also for hospitals, higher education, and social and health agencies.

Financial Data (yr. ended 6/30/79): Assets, \$44,608 (L); gifts received, \$167,000; expenditures, \$138,832, including \$136,722 for 67 grants (high: \$55,000; low: \$25).

Write: Saul Brandman.

Grant Application Information: Board meets monthly.
- **East Bay Community Foundation, The**
 P.O. Box 688
 Oakland 94604 (415) 465-2007

Purpose and Activities: Charitable, educational, and medical purposes; grants to community welfare agencies, principally for capital purposes. Support limited to organizations located in Alameda and Contra Costa counties. No grants to individuals or for building and endowment funds. Report published annually.

Financial Data (yr. ended 12/31/78): Assets, \$2,768,326 (M); gifts received, \$18,698; expenditures, \$149,109, including \$145,151 for 113 grants (high: \$7,000; low: \$150).

Write: Jan deJong, Executive Director.

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter, telephone, or full proposal; application form required; submit 1 copy of proposal by first of month preceding meeting month; board meets quarterly in January, April, July, and October.
- **Essick Foundation, Inc., The**
 609 South Grand Avenue, Suite 1217
 Los Angeles 90017

Purpose and Activities: General giving, mainly to local organizations in which the donors are interested, with emphasis on community funds, higher education, and hospitals; applications for grants are not invited.

Financial Data (yr. ended 12/31/79): Assets, \$1,607,793 (M); gifts received, \$25,224; expenditures, \$88,159, including \$77,293 for 78 grants (high: \$16,500; low: \$25).
- **Distribution Fund, The**
 247 La Cuesta Drive
 Menlo Park 94025 (415) 854-4172

Purpose and Activities: Giving largely channeled through a local community foundation; other grants designated for Bay Area agencies, primarily serving youth-oriented programs. No grants to individuals.

Financial Data (yr. ended 8/31/79): Assets, \$1,378,534 (M); expenditures, \$225,002, including \$218,775 for 45 grants (high: \$70,000; low: \$25).

- **Factor (Max) Family Foundation**
9777 Wilshire Boulevard, Suite 1015
Beverly Hills 90212

Purpose and Activities: General purposes; primarily local giving, with emphasis on Jewish welfare funds, hospitals, dermatologic research, education, care of the aged, and aid to the handicapped.

Financial Data (yr. ended 12/31/79): Assets, \$8,356,445 (M); gifts received, \$7,795; expenditures, \$1,128,004, including \$1,104,046 for 135 grants (high: \$250,000; low: \$100).

Write: Davis Factor, Trustee.

- **Fairfield (Freeman E.) Foundation**
337 East San Antonio Drive, Suite 201
P.O. Box 779F
Long Beach 90807 (213) 422-8776

Purpose and Activities: Giving only in Long Beach and Signal Hill, with emphasis on youth agencies, hospitals and clinics, community funds, and aid to the handicapped. No grants to individuals or for endowment funds.

Financial Data (yr. ended 12/31/79): Assets, \$3,991,558 (M); gifts received, \$1,114; expenditures, \$507,115, including \$448,299 for 17 grants (high: \$216,000; low: \$3,000).

Write: Edna E. Sellers, Trustee.

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter or telephone; submit 3 copies of proposal; application deadline May 1; board meets as required.

- **Familian (Isadore and Sunny) Family Foundation**
9595 Wilshire Boulevard, Suite 707
Beverly Hills 90212

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on medical and educational organizations and religious and community welfare funds.

Financial Data (yr. ended 12/31/79): Assets, \$1,001,064 (M); expenditures, \$165,456, including \$161,436 for 61 grants (high: \$77,225; low: \$10).

Write: Isadore Familian, President.

- **Freeman's Fund Insurance Company Foundation**
3333 California Street
San Francisco 94119 (415) 929-2223

Purpose and Activities: To assist higher education, health and welfare agencies, civic and cultural activities in California, mostly in the San Francisco Bay Area; grants also for United Way campaigns nationwide in cities where principal company offices are located. No grants to individuals or for special projects.

Financial Data (yr. ended 12/31/79): Net Worth, \$59,396 (L); gifts received, \$1,022,429; expenditures, \$1,146,764, including \$953,113 for 192 grants (high: \$200,000; low: \$100); \$108,037 for 443 matching gifts and \$27,000 for 18 scholarships.

Grant Application Information: Grant application guidelines available; initial approach by letter or telephone; submit 1 copy of proposal; application form required; board meets quarterly in January, March, June, and September.

- **Fishhacker (Janet and Mortimer) Foundation**
2500 Pacific Avenue
San Francisco 94115

Purpose and Activities: Largely local giving, with emphasis on higher education and the arts.

Financial Data (yr. ended 12/31/79): Assets, \$1,268,619 (M); expenditures, \$80,041, including \$68,879 for 141 grants (high: \$5,000; low: \$25).

- **Fishhacker (Mortimer) Foundation**
220 Bush Street
San Francisco 94104 (415) 982-3378

Purpose and Activities: Primary interest within California only in administration and management improvement of arts and cultural organizations; support of high-quality special projects or productions; expansion of arts programs to reach a broader community; educational programs which can demonstrate effectiveness in involving children and young adults in appreciation of and involvement in arts programs and cultural events; support of programs of recognized quality of the established arts and cultural institutions. No grants to individuals.

- **Financial Data** (yr. ended 4/30/80): Assets, \$1,768,534 (M); expenditures, \$117,353, including \$92,055 for 25 grants (high: \$15,000; low: \$1,000).

Write: Susan Clark Silk, Executive Director.

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter or telephone; application form required; submit 1 copy of proposal; board meets quarterly.

- **Fluor Foundation, The**
3333 Michelson Drive
Irvine 92730

Purpose and Activities: Broad purposes; general giving, with emphasis on higher education, community service organizations, including medical, social, and cultural, in areas where the Corporation has permanent offices. Applications considered only from tax-exempt organizations, which must submit full statements of program and detailed budgets.

Financial Data (yr. ended 10/31/79): Assets, \$5,208,573 (M); gifts received, \$646,026; expenditures, \$1,713,036, including \$1,701,945 for 210 grants (high: \$1,191,008; low: \$50).

- **Foremost-McKesson Foundation, Inc.**
One Post Street
San Francisco 94104 (415) 983-8673

Purpose and Activities: Charitable purposes; grants to colleges and universities for scholarships and minority programs; support also for civic, cultural, health, and welfare organizations. No grants to individuals, endowment funds, religious organizations, or capital fund drives. Report published annually.

Financial Data (yr. ended 3/31/80): Assets, \$2,373,084 (M); gifts received, \$833,535; expenditures, \$425,859, including \$388,147 for 137 grants (high: \$25,000; low: \$500) and \$11,130 for 114 matching gifts.

Grant Application Information: Grant application guidelines available; initial approach by letter; submit 1 copy of proposal; board meets bimonthly beginning in April.

- **Forest Lawn Foundation**
1712 South Glendale Avenue
Glendale 91205

Purpose and Activities: Broad purposes, primarily local giving; grants for higher education, welfare, health, youth agencies, hospitals, and religious institutions. No grants to individuals or for endowment funds or special projects.

Financial Data (yr. ended 12/31/79): Assets, \$2,387,418 (M); gifts received, \$269,836; expenditures, \$131,230, including \$119,510 for 83 grants (high: \$10,000; low: \$100).

Grant Application Information: Board meets quarterly.

- **Fresno Regional Foundation**
Security Bank Building
1060 Fulton Mall, Room 1404
Fresno 93721 (209) 233-2016

Purpose and Activities: For the benefit of charitable organizations located in the Fresno area; interests include health, arts, alleviation of social problems, education, senior citizens, character building, conservation and beautification, religious institutions, conservation of human and natural resources, and local historical programs. No grants to individuals, for building or endowment funds, or operating budgets. Report published annually.

Financial Data (yr. ended 12/31/78): Assets, \$1,174,910 (M); gifts received, \$201,152; expenditures, \$103,348, including \$57,857 for grants.

- **Fusenot (Georges and Germaine) Charity Foundation**
501 North Wilcox Avenue
Los Angeles 90004 (213) 462-7702

Purpose and Activities: Primarily local giving, with emphasis on hospitals, aid to the handicapped, and child welfare. No grants to individuals.

Financial Data (yr. ended 7/31/79): Assets, \$2,969,880 (M); gifts received, \$25,000; expenditures, \$113,394, including \$71,700 for 21 grants (high: \$5,000; low: \$700).

Grant Application Information: Submit 1 copy of proposal; board meets semiannually.

- **G.A.G. Charitable Corporation**
6055 Marshall-Petaluma Road
P.O. Box 786
Marshall 94940 (707) 663-8111

Purpose and Activities: Charitable purposes; grants for drug addiction rehabilitation, community funds, and Jewish welfare funds, largely in New York and California. No grants to individuals. Report issued annually.

Financial Data (yr. ended 12/31/79): Assets, \$1,175,970 (M); expenditures, \$76,991, including \$64,470 for 48 grants (high: \$26,750; low: \$50).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; board meets annually in May.

- **Gallo (The Julio R.) Foundation**
P.O. Box 1130
Modesto 95353 (209) 521-3091

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on community funds, Roman Catholic church support and religious associations, education, health agencies, and child welfare. No grants to individuals.

Financial Data (yr. ended 1/31/79): Assets, \$870,017 (M); expenditures, \$870,221, including \$867,440 for 27 grants (high: \$7,000; low: \$1,000).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; board meets as required.

- **Geller (The Carl) Foundation**
2222 Nineteenth Avenue
San Francisco 94116 (415) 566-4420

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on hospitals; grants also for Roman Catholic church support and higher and secondary education, including scholarship funds; giving also to community development programs and social agencies. No grants to individuals. Report issued annually.

Financial Data (yr. ended 11/30/79): Assets, \$7,785,942 (M); expenditures, \$539,459, including \$526,900 for 62 grants (high: \$150,000; low: \$1,000).

Grant Application Information: Initial approach by letter, full proposal, or telephone; submit 5 copies of proposal preferably in August and September; application deadline October 15; board meets semiannually in April and November.

- **Gerbode (Wallace Alexander) Foundation**
149 Ninth Street
San Francisco 94103 (415) 861-0770

Purpose and Activities: Support for innovative positive programs and projects impacting directly on residents of the five San Francisco Bay Area counties or Hawaii. Interests include arts, education, environment, and urban affairs. Generally no grants to individuals, for building or endowment funds, or operating budgets; no funding of films, publications, fund-raising campaigns, religious purposes, or scholarships. Report published annually.

Financial Data (yr. ended 12/31/79): Assets, \$11,466,390 (M); expenditures, \$538,877, including \$448,644 for 68 grants (high: \$20,000; low: \$100).

Write: Thomas C. Layton, Executive Director.

- **Getty Oil Company Foundation**
3810 Wilshire Boulevard
Los Angeles 90010 (213) 381-7151

Purpose and Activities: Charitable purposes; emphasis on higher education, public education, public policy and analysis, economic education, environmental research, and the role of business in society. No grants to individuals.

Financial Data (yr. ended 12/31/79): Assets, \$882,877 (M); expenditures, \$123,019, including \$110,000 for 2 grants (high: \$80,000; low: \$30,000).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal preferably in September; board meets annually in November and as required.

- **Girdred Foundation**
P.O. Box 611
Solana Beach 92075 (714) 276-3020

Purpose and Activities: Broad purposes; primarily local giving within San Diego County, with emphasis on education, medical research, youth programs, minority development, initiating projects, and international relations. No grants to individuals or for operating budgets; applications for grants not invited.

Financial Data (yr. ended 5/31/80): Assets, \$6,859,838 (M); gifts received, \$200,000; expenditures, \$563,657, including \$500,804 for 15 grants (high: \$225,654; low: \$250).

- **Gilmore (Earl B.) Foundation**
6301 West Third Street
Los Angeles 90036

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on social agencies; grants also for higher and secondary education, health agencies, hospitals, youth agencies, and Protestant church support.

Financial Data (yr. ended 12/31/79): Assets, \$1,812,971 (M); expenditures, \$134,617, including \$131,595 for 93 grants (high: \$7,500; low: \$45).

- **Gilmore (The William G.) Foundation**
Steuart Street Tower
One Market Plaza, Suite 1110
San Francisco 94105

Purpose and Activities: Broad purposes, grants largely for community funds; support also for higher and secondary education, hospitals, and youth and child welfare agencies, primarily in California, Oregon, and Washington.

Financial Data (yr. ended 12/31/79): Assets, \$8,134,497 (M); gifts received, \$300,000; expenditures, \$577,926, including \$554,509 for 61 grants (high: \$470,250; low: \$100).

- **Goldwyn (The Samuel) Foundation**
1041 North Formosa Avenue
Los Angeles 90046 (213) 650-2407

Purpose and Activities: To promote southern California community-related activities; grants primarily for secondary and higher education, youth, medical, and innovative social programs. No grants to individuals or for building funds.

Financial Data (yr. ended 12/31/79): Assets, \$16,021,438 (M); expenditures, \$882,150, including \$467,479 for 93 grants (high: \$51,375; low: \$100).

- **Gospel Foundation of California**
1462 North Stanley Avenue
Hollywood 90046 (213) 876-2172

Purpose and Activities: "To foster, promote and operate Christian, religious, charitable, educational, home and foreign

missions, evangelistic and mission enterprises." Grants primarily to institutions in California concerned with aiding handicapped, underprivileged, or troubled youth, Christian secondary and higher educational institutions for scholarships, and Christian churches and church-related programs.

Financial Data (yr. ended 12/31/79): Assets, \$3,000,695 (M); expenditures, \$728,652, including \$669,669 for 70 grants (high: \$229,734; low: \$55).

- **Gross (Stella B.) Charitable Trust**
c/o Bank of the West
P.O. Box 1121
San Jose 95108 (408) 998-6856

Purpose and Activities: Giving restricted to organizations in Santa Clara County, with emphasis on youth agencies, higher education, a hospital, aid to the handicapped, and a health agency. No grants to individuals.

Financial Data (yr. ended 6/30/80): Assets, \$3,051,696 (M); expenditures, \$255,360, including \$215,847 for 37 grants (high: \$45,000; low: \$949).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal in May or November; application deadlines June 1 and December 1; board meets semiannually in June and December.

- **Haas (Evelyn and Walter), Jr. Fund**
Two Embarcadero Center, 11th Floor
San Francisco 94106 (415) 544-6575
Incorporated in 1953 in California.

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on equality of opportunity, self-help programs serving older residents of the Bay Area, children's services, and the performing arts. No grants to individuals or for endowment funds. Report published annually.

Financial Data (yr. ended 12/31/79): Assets, \$14,249,906 (M); gifts received, \$1,468,047; expenditures, \$803,991, including \$641,621 for 91 grants (high: \$49,550; low: \$500).

Grant Application Information: Program policy statement and grant application guidelines available in annual report; initial approach by letter; submit 1 copy of proposal preferably in January, April, July, or October; application deadline 6 weeks prior to meeting; board meets quarterly in March, June, September, and December.

- **Haas (Josephine and Peter) Fund**
Two Embarcadero Center
San Francisco 94106 (415) 544-6143

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on higher education; support also for community funds and cultural programs. No grants to individuals.

Financial Data (yr. ended 8/31/79): Assets, \$2,956,364 (M); expenditures, \$191,800, including \$115,348 for 75 grants (high: \$20,100; low: \$15).

Grant Application Information: Initial approach by letter; board meets as required.

- **Haas (Walter and Elise) Fund**
Two Embarcadero Center
San Francisco 94106 (415) 544-6142

Purpose and Activities: Broad purposes; interests include art and music, medical research, higher education, hospitals for specific projects, institutions which further public interest by the encouragement of individual initiative and the strengthening of the productive economy, preservation of the environment, and animal protection and care. No grants to individuals; grants for religious purposes limited to those of the Jewish faith. Apart from grants to institutions in Israel, applications from organizations in California are preferred.

Financial Data (yr. ended 12/31/79): Assets, \$10,201,361 (M); gifts received, \$159,062; expenditures, \$840,430, including \$804,412 for 77 grants (high: \$200,000; low: \$25).

Grant Application Information: Program policy statement available; initial approach by letter or full proposal in 2 copies; board meets annually.

- **Hancock (The Luke B.) Foundation**
360 Bryant Street
Palo Alto 94301 (415) 321-5536

Purpose and Activities: Broad purposes; emphasis on programs which enhance the status and independence of the older person by involving him/her as a resource to the community through volunteerism and to the economy through paid employment opportunities. Grants limited to organizations and programs within California with strong preference to San Francisco Bay Area programs. No grants to individuals and, generally, no grants for emergency needs, building construction or acquisition, endowment funds, publications, or films. Report published annually.

Financial Data (yr. ended 4/30/80): Assets, \$10,250,280 (M); expenditures, \$635,175, including \$503,844 for 34 grants (high: \$25,000; low: \$1,000).

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter; submit 1 copy of proposal; board meets quarterly in August, November, February, and June.

- **Helms Foundation, Inc.**
P.O. Box 312
Redwood Valley 95470

Purpose and Activities: Broad purposes; support primarily for youth programs, higher education, including scholarship funds, scientific research, mainly in the medical sciences, Protestant church support and religious associations, and community funds; grants limited to southern California.

Financial Data (yr. ended 6/30/79): Assets, \$4,618,119 (M); expenditures, \$318,743, including \$271,084 for 88 grants (high: \$13,902; low: \$500).

- **Hewlett (The William and Flora) Foundation**
525 Middlefield Road, Suite 200
Menlo Park 94025 (415) 329-1070

Purpose and Activities: Emphasis on environment, arts and humanities, education especially at the college-university level, population, and regional grants program. No geographical limitations, except for regional grants program which is limited to San Francisco Bay Area. No grants to individuals, for building or endowment funds, or basic research. Report published annually.

Financial Data (yr. ended 12/31/79): Assets, \$50,239,183 (M); expenditures, \$6,456,826, including \$5,360,156 for 157 grants (high: \$500,000; low: \$500).

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter; submit 1 copy of proposal; board meets quarterly in January, April, July, and October.

- **Hills (The Edward E.) Fund**
c/o Pillsbury, Madison and Sutro
225 Bush Street
San Francisco 94104

Purpose and Activities: Broad purposes; grants primarily to local higher and secondary educational institutions.

Financial Data (yr. ended 12/31/79):
Assets, \$5,310,416 (M); expenditures, \$323,543, including \$275,000 for 2 grants (high: \$200,000; low: \$75,000).

- **Howe (Lucile Horton) and Mitchell B. Howe Foundation**
180 South Lake Avenue
Pasadena 91101

Purpose and Activities: Broad purposes; giving primarily for youth agencies, hospitals, church support, community funds, and education.

Financial Data (yr. ended 12/31/79):
Assets, \$1,143,416 (M); gifts received, \$8,333; expenditures, \$86,508, including \$80,512 for 94 grants (high: \$40,315; low: \$10).

- **Humboldt Area Foundation, The**
P.O. Box 632
Eureka 95501 (707) 442-2993

Purpose and Activities: Broad purposes; preference given to meeting charitable and cultural needs within Humboldt County. General giving, including grants for prevention of cruelty to children or animals, public safety, and human service programs. No grants to individuals; ordinarily no grants for endowment funds, unspecified emergency purposes, deficits, or operating budgets. Report published annually.

Financial Data (yr. ended 12/31/79):
Assets, \$408,646 (L); gifts received, \$247,631; expenditures, \$251,483, including \$211,125 for 46 grants (high: \$50,000; low: \$15).

Grant Application Information: Grant application guidelines available; initial approach by letter or telephone; application form required; submit 8 copies of proposal; application deadlines March 1, June 1, September 1, and December 1; board meets monthly; applications reviewed quarterly.

- **Irvine (The James) Foundation**
One Market Plaza
Steuart Street Tower, Suite 2305
San Francisco 94105 (415) 777-2244
Southern California grant application office:
450 Newport Center Drive, Suite 545,
Newport Beach, California 92660

Purpose and Activities: Grants, limited to California, primarily for higher education, health, youth services, and community and cultural projects not receiving government support. No grants to individuals, private secondary schools, for sectarian religious activities, normal operating expenses, endowment funds, or general support. Report published annually.

Financial Data (yr. ended 3/31/80):
Assets, \$205,830,393 (M); expenditures, \$12,882,271, including \$11,486,999 for 178 grants (high: \$600,000; low: \$500).

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter; submit 1 copy of proposal; application form required; application

Purpose and Activities: Primarily local giving, with emphasis on medical research, handicapped children's organizations, the blind, hospitals, and youth and health agencies.

Financial Data (yr. ended 12/31/79):
Assets, \$1,717,480 (M); gifts received, \$701,490; expenditures, \$239,837, including \$213,482 for 27 grants (high: \$10,000; low: \$100).

- **Joslyn (The Marcellus L.) Foundation**
12857 Camino Emparrado
San Diego 92128 (714) 485-7938

Purpose and Activities: General purposes; primarily local giving, with emphasis on hospitals, higher education, and senior citizen adult centers.

Financial Data (yr. ended 9/30/79):
Assets, \$2,120,000 (M); expenditures, \$250,000, including \$220,000 for 20 grants (high: \$50,000; low: \$2,000).

- **Keck (W. M.) Foundation**
555 South Flower Street, Suite 4750
Los Angeles 90071 (213) 680-3833

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on higher and secondary education and hospitals; some grants for youth agencies, aid to the handicapped, and community funds.

Financial Data (yr. ended 12/31/79):
Assets, \$15,212,139 (M); gifts received, \$12,618,849; expenditures, \$9,216,031, including \$8,983,520 for 38 grants (high: \$5,280,000; low: \$9,320).

- **Knudsen Foundation, The**
(formerly Th. R. Knudsen and Valley M. Knudsen Foundation)
231 East 23rd Street
Los Angeles 90011 (213) 747-6471
Mailing address: P.O. Box 2335, Terminal Annex, Los Angeles, California 90051

Purpose and Activities: Broad purposes; giving primarily within California, with emphasis on private higher educational institutions; grants also for cultural institutions and community funds. No grants for matching funds, building or endowment funds, loans, or special projects.

Financial Data (yr. ended 12/31/79): Assets, \$2,335,000 (L); gifts received, \$164,084; expenditures, \$216,064, including \$151,301 for 81 grants (high: \$10,000; low: \$30) and \$15,574 for 9 scholarships.

Grant Application Information: Grant application guidelines available; initial approach by full proposal in 1 copy; submit proposal preferably in March or September; application deadlines March 15 and September 15; board meets semiannually in April and October.

- **Lakeside Foundation**
155 Sansome Street
San Francisco 94104

Purpose and Activities: Broad purposes; local giving, principally limited to the Bay Area, with emphasis on hospitals and education; support also for cultural programs, youth agencies, Protestant churches, and community funds. No grants to individuals.

Financial Data (yr. ended 12/31/79): Assets, \$3,065,863 (M); expenditures, \$508,824, including \$485,355 for 92 grants (high: \$325,000; low: \$25).

- **Lear Siegler Foundation**
3171 South Bundy Drive
Santa Monica 90406 (213) 391-7211

Purpose and Activities: General giving, with emphasis on community funds and higher education; support also for youth and health agencies. No grants to individuals or for endowment funds.

Financial Data (yr. ended 6/30/79): Assets, \$972,166 (M); gifts received, \$676,041; expenditures, \$501,947, including \$500,413 for 386 grants (high: \$10,000; low: \$100).

Grant Application Information: Initial approach by letter; submit 1 copy of full proposal preferably between January and March; board meets as required.

- **Lebus (Bertha) Trust**
700 Wilshire Boulevard
Los Angeles 90017

Purpose and Activities: Grants primarily for higher and secondary education; support also for health agencies and a youth agency.

Financial Data (yr. ended 12/31/79): Assets, \$1,256,246 (M); expenditures, \$68,337, including \$59,500 for 11 grants (high: \$10,000; low: \$2,000).

- **Leonardt Foundation**
1801 Avenue of the Stars, Suite 500
Los Angeles 90067 (213) 556-3932

Purpose and Activities: Broad purposes; grants primarily for Roman Catholic church support, welfare funds, higher and secondary education, hospitals, and health agencies. No grants to individuals.

Financial Data (yr. ended 12/31/79): Assets, \$1,853,204 (M); expenditures, \$116,693, including \$95,700 for 67 grants (high: \$15,100; low: \$100).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal.

- **Litton Industries, Foundation of the**
360 North Crescent Drive
Beverly Hills 90210 (213) 273-7860

Purpose and Activities: Broad purposes; grants largely for higher education and community funds. No grants to individuals or for building or endowment funds.

Financial Data (yr. ended 4/30/80): Assets, \$4,300,077 (M); gifts received, \$246,386; expenditures, \$213,863, including \$203,650 for 9 grants (high: \$101,000; low: \$250).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal between September and January; board meets quarterly in January, April, July, and October.

- **Lloyd (The Ralph B.) Foundation**
9441 Olympic Boulevard
Beverly Hills 90212

Purpose and Activities: Broad purposes; grants primarily for cultural organizations, higher and secondary education, community funds, Protestant church support, and youth agencies, largely in California and Oregon.

Financial Data (yr. ended 12/31/79): Assets, \$4,663,049 (M); expenditures, \$644,279, including \$611,714 for 114 grants (high: \$125,000; low: \$40).

- **Lurie (Louis R.) Foundation**
555 California Street, Suite 5100
San Francisco 94104 (415) 392-2470

Purpose and Activities: General giving in the San Francisco Bay Area and Chicago, Illinois, with emphasis on community, educational, cultural, and health services. No grants to individuals or for building funds.

Financial Data (yr. ended 12/31/79): Assets, \$7,790,553 (M); gifts received, \$441,918; expenditures, \$1,180,907, including \$1,136,446 for 113 grants (high: \$150,000; low: \$1,000).

Grant Application Information: Grant application guidelines available; initial approach by letter or telephone; submit 2 copies of proposal; application deadline 6 weeks prior to meeting; board meets as required.

- **Lytel (Bertha Russ) Foundation**
P.O. Box 893
Ferndale 95536 (707) 786-4682

Purpose and Activities: Primarily local giving, with emphasis on social agencies for the aged. No grants to individuals.

Financial Data (yr. ended 9/30/79): Assets, \$6,230,075 (M); expenditures, \$297,367, including \$228,579 for 28 grants (high: \$45,000; low: \$300).

Grant Application Information: Grant application guidelines available; initial approach by letter; submit 8 copies of proposal; board meets monthly.

- **May (Wilbur D.) Foundation** c/o Parker, Milliken, Clark & O'Hara
333 South Hope Street, 27th Floor
Los Angeles 90071

Purpose and Activities: General purposes; grants largely for hospitals and health agencies, a university, community funds, and youth agencies in Nevada and California.

Financial Data (yr. ended 5/31/80): Assets, \$507,638 (M); gifts received, \$360,888; expenditures, \$170,774, including \$170,500 for 22 grants (high: \$27,750; low: \$50).

- **McBean (The Atholl) Foundation**
100 California, Suite 1220
San Francisco 94111 (415) 398-1212

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on hospitals, higher and secondary education, community funds, research, cultural organizations, and church support. No grants to individuals.

Financial Data (yr. ended 12/31/79): Assets, \$1,847,545 (M); gifts received, \$213,088; expenditures, \$339,216, including \$328,000 for 16 grants (high: \$100,000; low: \$1,000).

Grant Application Information: Board meets annually in December.

- **McCallum Desert Foundation**
101 North Palm Canyon Drive
P.O. Box 1507
Palm Springs 92262

Purpose and Activities: Support primarily for a local hospital; some giving for community funds, youth agencies, and higher education.

Financial Data (yr. ended 2/28/79): Assets, \$3,219,362 (M); expenditures, \$400,795, including \$325,500 for 11 grants (high: \$278,200; low: \$300).

- **Murphy (Dan) Foundation**
3701 Wilshire Boulevard, Room 320
Los Angeles 90010

Purpose and Activities: Primarily local giving, with emphasis on higher and secondary education, hospitals, including building funds, Roman Catholic church support, and religious and charitable associations. No grants to individuals.

Financial Data (yr. ended 12/31/79): Assets, \$82,206,415 (M); expenditures, \$12,380,364, including \$12,137,530 for 53 grants (high: \$9,887,531; low: \$1,000).

- **Norman (Andrew) Foundation**
10960 Wilshire Boulevard, Suite 820
Los Angeles 90024 (213) 879-1430

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on minority group development, hospitals, higher education, humanities, conservation, arts, and community funds.

Financial Data (yr. ended 6/30/79):
Assets, \$4,898,601 (M); expenditures,
\$273,670, including \$227,920 for 15
grants (high: \$25,000; low: \$5,000).

- **Norris (The Kenneth T. and Eileen L.) Foundation**
1900 East Ocean Boulevard, Suite 1806
Long Beach 90802 (213) 435-8441

Purpose and Activities: Broad purposes; giving limited to southern California, with emphasis on hospitals, health agencies, higher education, medical research, cultural institutions, and community funds. No grants to individuals.

Financial Data (yr. ended 11/30/79):
Assets, \$32,416,764 (M); gifts received,
\$146,450; expenditures, \$1,700,665,
including \$1,573,140 for 160 grants (high:
\$926,200; low: \$100).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; board meets as required.

- **Odell (Robert Stewart) and Helen Pfeiffer Odell Fund**
49 Geary Street, Room 244
San Francisco 94102 (415) 391-0292

Purpose and Activities: Giving primarily in the San Francisco Bay Area, with emphasis on higher education, youth agencies, the handicapped, and child welfare. No grants to individuals.

Financial Data (yr. ended 12/31/79):
Assets, \$8,505,130 (M); expenditures,
\$399,656, including \$299,500 for 36
grants (high: \$13,000; low: \$500).

Grant Application Information: Initial approach by full proposal in 1 copy; submit proposal between January and June; board meets monthly.

- **Orleton Trust Fund**
1777 Borel Place, Suite 306
San Mateo 94402 (415) 345-2818
Additional office: c/o Mrs. Anne Johnston
Greene, 1101 Runnymede Road,
Dayton, Ohio 45419

Purpose and Activities: Broad purposes; general giving, with emphasis on Protestant church support, religious associations and welfare funds, and higher and secondary education; some support for community funds and population control. Grants also for alternative energy systems, ecological farming methods, and recycling technologies with emphasis given to underdeveloped countries and disadvantaged peoples. No grants to individuals.

Financial Data (yr. ended 12/31/79):
Assets, \$6,401,960 (M); expenditures,
\$679,734, including \$656,363 for 186
grants (high: \$50,000; low: \$10).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; board meets as required.

- **Packard (The David and Lucile) Foundation**
330 Second Street
P.O. Box 1330
Los Altos 94022 (415) 948-7658

Purpose and Activities: Broad purposes; giving primarily in the San Francisco and Monterey Bay areas, with emphasis on conservation, music, education, youth agencies, minorities, handicapped, child welfare, and population issues. No grants to individuals. Report published annually.

Financial Data (yr. ended 12/31/79):
Assets, \$24,376,428 (M); gifts received,
\$6,287,104; expenditures, \$1,333,502,
including \$1,184,435 for 148 grants (high:
\$100,000; low: \$100) and \$33,500 for
one loan.

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter or full proposal in 1 copy; application deadline 6 weeks prior to meeting; board meets quarterly in February, May, August, and November.

- Parker Foundation, The**
1200 Prospect Street, Suite 575
La Jolla 92037 (714) 454-9101

Purpose and Activities: Giving limited to San Diego County, with emphasis on cultural programs; grants also for health and welfare, including medical support and research, adult services, and youth agencies; education, and community activities. No grants to individuals. Report issued annually.

Financial Data (yr. ended 9/30/79): Assets, \$8,060,820 (M); expenditures, \$568,399, including \$502,375 for 35 grants (high: \$75,000; low: \$300).

Grant Application Information: Grant application guidelines available; initial approach by letter; submit 6 copies of proposal; board meets monthly.

- **Parsons (The Ralph M.) Foundation**
1100 Glendon Avenue, Suite 1418
Los Angeles 90024 (213) 477-4042

Purpose and Activities: Broad purposes; giving primarily to higher education, social impact areas, including assistance to children, battered women, and seniors; grants also for cultural and civic projects.

Financial Data (yr. ended 12/31/79): Assets, \$46,295,568 (M); expenditures, \$398,166, including \$231,694 for 14 grants (high: \$50,000; low: \$2,500).

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by telephone; submit 1 copy of proposal preferably in January, March, May, July, September, or November; board meets bimonthly.

- **Pasadena Foundation**
16 North Marengo Avenue, Suite 219
Pasadena 91101 (213) 796-2097

Purpose and Activities: Grants for capital improvements to established local agencies in the Pasadena area, with emphasis on child welfare, youth agencies, and senior citizen welfare. No grants to individuals or for endowment funds, operating budgets, or special projects. Report published annually.

Financial Data (yr. ended 12/31/79): Assets, \$4,320,130 (M); gifts received, \$94,985; expenditures, \$384,119, including \$310,124 for 108 grants (high: \$9,726; low: \$30).

Grant Application Information: Grant application guidelines available; initial approach by letter; application form required; submit 1 copy of proposal preferably in July; application deadline October 7; board meets semiannually in April and December.

- **Pauley (The Edwin W.) Foundation**
10000 Santa Monica Boulevard, Suite 200
Los Angeles 90067

Purpose and Activities: Primarily local giving, with grants principally for construction programs for cultural and civic organizations and educational institutions.

Financial Data (yr. ended 11/30/79): Assets, \$1,986,931 (M); expenditures, \$87,880, including \$86,000 for grants.

- **Peppers (The Ann) Foundation**
80 South Lake Avenue, Suite 719
Pasadena 91101 (213) 681-6364

Purpose and Activities: Primarily local giving, with emphasis on higher education and aid to the handicapped; support also for community funds and child welfare. No grants to individuals or for endowment funds.

Financial Data (yr. ended 12/31/79): Assets, \$2,854,682 (M); expenditures, \$186,864, including \$161,538 for 35 grants (high: \$31,000; low: \$500).

- **Peters (Leon S.) Foundation**
P.O. Box 1626
Fresno 93717

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; board meets quarterly.

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on community funds, cultural programs, higher education, youth agencies, and hospitals.

Financial Data (yr. ended 11/30/79): Assets, \$1,620,719 (M); gifts received, \$175,000; expenditures, \$119,674.

- **Pratt (Arthur P.) and Jeanelle Gladys Pratt Memorial Fund**
c/o California First Bank
7807 Girard Avenue
La Jolla 92038 (714) 294-4770

Purpose and Activities: Local giving, with emphasis on youth agencies and restoration of buildings in a park. No grants to individuals.

Financial Data (yr. ended 4/30/80): Assets, \$1,782,824 (M); expenditures, \$46,740, including \$32,700 for 7 grants (high: \$12,500; low: \$200).

Grant Application Information: Initial approach by full proposal in 1 copy; board meets annually in March.

- **R. P. Foundation, Inc.**
3957 Pacific Highway
San Diego 92110

Purpose and Activities: Primarily local giving, with emphasis on church support and religious associations, historic preservation, social agencies, and education.

Financial Data (yr. ended 11/30/79): Assets, \$1,400,838 (M); expenditures, \$20,309, including \$16,367 for grants.

- **Riverside Community Foundation**
(formerly Riverside Foundation)
3900 Market Street, Suite 245
Riverside 92501 (714) 683-6201

Purpose and Activities: Grants for educational and welfare purposes within Riverside County. No grants to individuals, or for endowment funds, general support, or research.

Financial Data (yr. ended 12/31/79): Assets, \$3,744,218 (L); gifts received, \$67,724; expenditures, \$245,190, including \$214,903 for 55 grants (high: \$38,478; low: \$200).

- **Rosenberg Foundation**
210 Post Street
San Francisco 94108 (415) 421-6105

Purpose and Activities: New and innovative programs benefiting children and youth in California, including 1) early childhood development projects which appear to have unusual promise of encouraging the normal, healthy development of young children both as individuals and as members of a diverse society; 2) adolescent and older youth projects in which young people help to plan and carry out activities of benefit to the community; 3) rural development projects to improve the quality of life in rural California; and 4) projects which identify and address policy issues in the immigration field with particular emphasis on migration from Mexico and its consequences for children and their families in both countries. No grants to individuals, for endowment or capital purposes, operating expenses of established agencies, or for scholarships. Report published annually.

Financial Data (yr. ended 12/31/79): Assets, \$15,887,123 (M); gifts received, \$50,000; expenditures, \$977,751, including \$783,378 for 53 grants (high: \$49,400; low: \$1,325).

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter; submit 1 copy of proposal; board meets monthly except in July and August.
Employer Identification No.: 941186182

- **Salvatori (Henry and Grace) Foundation**
1901 Avenue of the Stars, Suite 1130
Los Angeles 90067
Purpose and Activities: Broad purposes; general giving, with emphasis on hospitals; grants also for higher education and youth agencies.
Financial Data (yr. ended 12/31/79): Assets, \$1,502,215 (M); expenditures, \$19,941, including \$16,500 for 4 grants (high: \$10,000; low: \$500).

- **San Francisco Foundation, The**
425 California Street
San Francisco 94104 (415) 392-0600

Purpose and Activities: Grants principally for seven categories: the arts, education, environment, health, humanities, social services, and urban affairs in the five Bay Area counties unless otherwise specified by donors. No grants to individuals, for building funds, endowment, or operating budgets except in Marin County. Report published annually.

Financial Data (yr. ended 6/30/80): Assets, \$348,166,242 (M); gifts received, \$269,645,613; expenditures, \$10,829,817, including \$9,736,772 for 386 grants (high: \$250,000; low: \$100).

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter; submit 1 copy of proposal; board meets monthly except in July and August.

- **San Mateo Foundation, The**
1204 Burlingame Avenue
P.O. Box 627
Burlingame 94010 (415) 342-2477

Purpose and Activities: To support cultural, educational, social service, and health programs in the San Mateo County and Palo Alto area; interests include youth, environment, elderly, disabled, and minorities; provides counseling services for local fund seekers. No grants to individuals or for endowment funds. Report published annually.

Financial Data (yr. ended 12/31/79): Assets, \$3,345,543 (M); gifts received, \$398,431; expenditures, \$480,062, including \$392,773 for 127 grants (high: \$30,000; low: \$50).

Grant Application Information: Grant application guidelines available; initial approach by letter, telephone, or full proposal in 1 copy.

- **Sanc' (George H.) Foundation**
P.O. Box 18262
San Francisco 94118

Purpose and Activities: Charitable and educational purposes; primarily local giving, with emphasis on aid to the handicapped and underprivileged. No grants to individuals, other private nonoperating foundations, or for operating budgets.

Financial Data (yr. ended 12/31/79): Assets, \$7,836,990 (M); expenditures, \$470,872, including \$219,478 for 56 grants (high: \$30,000; low: \$1,000).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; board meets quarterly.

- **Sanguinetti (Annunziata) Foundation**
c/o Bank of America
P.O. Box 37000
San Francisco 94137 (415) 622-2211

Purpose and Activities: For the benefit of sick, needy children in San Francisco only; grants for mental health, rehabilitation, welfare, hospitals, youth and social agencies. No grants to individuals or for building or endowment funds.

Financial Data (yr. ended 9/30/79): Assets, \$3,914,908 (M); expenditures, \$215,569, including \$189,300 for 29 grants (high: \$11,200; low: \$2,500).

Grant Application Information: Initial approach by letter, telephone, or full proposal; submit 1 copy of proposal between July and September; application deadline September 30; board meets annually in November or December.

- **Santa Barbara Foundation**
11 East Carrillo Street
Santa Barbara 93101 (805) 965-7316

Purpose and Activities: Grants for community service, cultural activities, and scholarship loans in Santa Barbara County. No grants to individuals, for endowment funds, or operating budgets. Report published annually.

Financial Data (yr. ended 12/31/78): Assets, \$8,711,614 (M); expenditures, \$819,499, including \$536,959 for 76 grants (high: \$34,000; low: \$900) and \$216,705 for 119 loans.

Grant Application Information: Grant application guidelines available; initial approach by letter or telephone; application form required; submit 1 copy of proposal; board meets quarterly.

- **Schmidt (Marjorie Mosher) Foundation** □
180 Newport Center Drive, Suite 180
Newport Beach 92660 (714) 640-9936

Purpose and Activities: Broad purposes; local giving only, with emphasis on hospitals, education, child welfare, aid to the handicapped, and youth agencies. No grants to individuals.

Financial Data (yr. ended 12/31/79): Assets, \$3,051,857 (M); expenditures, \$128,077, including \$104,200 for 41 grants (high: \$7,500; low: \$100).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; application deadline April 30; board meets annually in May or June.

- **Scripps (The Ellen Browning) Foundation**
Scripps Building, Room 306
525 C Street
San Diego 92101 (714) 294-4582
Mailing address: c/o E. Douglas Dawson,
Vice-President, California First Bank,
P.O. Box 109, San Diego, California
92112

Purpose and Activities: General purposes; primarily local giving, with emphasis on institutions engaged in medical and oceanographic research, higher education, conservation and recreation, and youth and child welfare agencies.

Financial Data (yr. ended 6/30/79): Assets, \$1,950,000 (M); expenditures, \$175,000, including \$161,200 for 20 grants (high: \$40,000; low: \$200).

Grant Application Information: Initial approach by full proposal; application deadline May 1; board meets annually in June.

- See (Charles) Foundation
2222 Avenue of the Stars, Suite 2505
Los Angeles 90067

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on mental health, education, hospitals, church support, conservation, community funds, and cultural programs.

Financial Data (yr. ended 12/31/79): Assets, \$1,248,305 (M); expenditures, \$98,018, including \$88,875 for 39 grants (high: \$20,000; low: \$100).

- Shea Foundation, The
655 Brea Canyon Road
Walnut 91789

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on Roman Catholic church support and religious associations; support also for education, the handicapped, and community funds.

Financial Data (yr. ended 11/30/79): Assets, \$1,470,549 (L); expenditures, \$89,125, including \$86,175 for 59 grants (high: \$18,000; low: \$50).

- Simon, Inc., Foundation Funds of Norton
411 West Colorado Boulevard
Pasadena 91105 (213) 449-6840

Purpose and Activities: General purposes, with emphasis on community funds; interests include the fields of education, welfare, health, and the humanities. No grants to individuals.

Financial Data (yr. ended 12/31/79): Assets, \$1,023,597 (M); expenditures, \$57,972, including \$49,950 for 6 grants (high: \$38,200; low: \$250).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; no application deadline; board meets as required.

- Simon (The Lucille Ellis) Foundation
100 North Hudson Avenue
Los Angeles 90004

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on community funds, Jewish welfare funds, and health agencies. No grants to individuals.

Financial Data (yr. ended 12/31/79): Assets, \$1,518,892 (M); gifts received, \$10,000; expenditures, \$94,655, including \$84,672 for grants (high: \$23,500; low: \$50).

- Simon (Norton), Inc. Museum of Art
411 West Colorado Boulevard
Pasadena 91105 (213) 449-6840

Purpose and Activities: Broad purposes; interests include education, health, welfare, and the humanities; purchases of works of art and their loan to major public museums for exhibition. No grants to individuals.

Financial Data (yr. ended 11/30/79): Assets, \$124,484,992 (M); gifts received, \$1,325,000; expenditures, \$1,218,695, including \$116,639 for 6 grants (high: \$84,531; low: \$200) and \$301,285 for programs.

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; board meets as required.

- Skaggs (L. J.) and Mary C. Skaggs Foundation
United California Bank Building, Suite 1730
1330 Broadway
Oakland 94612 (415) 451-3300

Purpose and Activities: General purposes; primary interests in higher education, performing arts, visual arts, and projects of historic interest; in Northern California support for social action, youth and welfare, folklore and folklife, and community agencies. Some foreign grants in areas of interest. No grants to film or film distribution projects or to residence homes or halfway houses. No grants to individuals or for capital or annual fund drives, sectarian religious purposes, or budget deficits. Report published annually.

Financial Data (yr. ended 12/31/79): Assets, \$5,464,339 (M); gifts received, \$222,235; expenditures, \$751,283, including \$647,227 for 58 grants (high: \$200,000; low: \$200).

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter; submit 1 copy of proposal prior to September 1; board meets semiannually in November and June.

- **Sprague (Caryll M. and Norman F.) Foundation**
3600 Wilshire Boulevard, Suite 2110
Los Angeles 90010 (213) 387-7311

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on higher education including medical education, secondary education, church support, and museums. No grants to individuals.

Financial Data (yr. ended 12/31/79): Assets, \$3,115,835 (M); gifts received, \$146,300; expenditures, \$90,217, including \$85,750 for 22 grants (high: \$50,000; low: \$250).

Grant Application Information: Initial approach by letter or telephone; board meets annually and as required.

- **Steele (Harry G.) Foundation**
4500 Campus Drive, Suite 201
Newport Beach 92660 (714) 546-2140

Purpose and Activities: Primarily local giving, with emphasis on higher and secondary education, including scholarship funds, the fine arts, population control, hospitals and clinics, and youth agencies. No grants to individuals. Report published annually.

Financial Data (yr. ended 10/31/79): Assets, \$28,482,360 (M); gifts received, \$59,045; expenditures, \$8,665,185, including \$8,563,140 for 74 grants (high: \$1,010,625; low: \$500).

Grant Application Information: Grant application guidelines available; initial approach by letter; submit 1 copy of proposal; board meets quarterly.

- **Stern (Sidney) Memorial Trust**
P.O. Box 893
Pacific Palisades 90272

Purpose and Activities: Primarily local giving, with emphasis on child welfare, aid to the handicapped, and education.

Financial Data (yr. ended 8/31/79): Assets, \$10,593,622 (M); expenditures, \$708,688, including \$543,658 for 120 grants (high: \$25,000; low: \$25).

- **Stewart (Laura May) Trust II**
3650 Fourteenth Street
P.O. Box 1072
Riverside 92502

Purpose and Activities: Primarily local giving, with emphasis on recreation, youth agencies, and social services.

Financial Data (yr. ended 5/31/80): Assets, \$1,033,941 (M); expenditures, \$95,423, including \$83,742 for 29 grants (high: \$11,580; low: \$150).

- **Strauss (Levi) Foundation**
Two Embarcadero Center
San Francisco 94106 (415) 544-6579

Purpose and Activities: Grants primarily for education; also for human resources, health programs, and cultural and civic projects; interested especially in providing seed money and matching funds on a nonrecurring basis. Priority given to programs directly affecting the communities where the donor has facilities. No grants to individuals, for endowment funds, or operating budgets. Report published annually.

Financial Data (yr. ended 12/31/79): Assets, \$17,711,208 (M); gifts received, \$6,607,375; expenditures, \$3,549,527, including \$3,444,920 for 552 grants (high: \$60,000; low: \$100) and \$17,052 for matching gifts.

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter; submit 1 copy of proposal; board meets every 6 weeks.

- **Stuart (Elbridge and Evelyn) Foundation**

P.O. Box 3189, Terminal Annex
Los Angeles 90051

Trust established in 1961 in California.

Purpose and Activities: Primarily local giving, with emphasis on higher and secondary education, hospitals, youth agencies, medical research, and church support.

Financial Data (yr. ended 12/31/79): Assets, \$1,580,294 (M); expenditures, \$133,857, including \$124,000 for 20 grants (high: \$20,000; low: \$1,000).

- **Stuart (Elbridge and Mary) Foundation**
5045 Wilshire Boulevard
Los Angeles 90036
Purpose and Activities: Broad purposes; primarily local giving, with emphasis on higher education; support also for hospitals, health agencies, youth agencies, social agencies, and community funds. No grants for building funds or past indebtedness.

Financial Data (yr. ended 12/31/79): Assets, \$8,471,826 (M); expenditures, \$787,979, including \$741,500 for 69 grants (high: \$150,000; low: \$1,000).

- **Stuart (Elbridge) Foundation**
5045 Wilshire Boulevard
Los Angeles 90036
Purpose and Activities: Broad purposes; primarily local giving, with emphasis on higher and secondary education, hospitals, and health agencies; support also for youth agencies, child welfare, aid to the handicapped, and medical research.

Financial Data (yr. ended 12/31/79): Assets, \$10,341,289 (M); expenditures, \$1,375,722, including \$1,318,500 for 92 grants (high: \$175,000; low: \$1,000).

- **Stuart (Mary Horner) Foundation**
5045 Wilshire Boulevard
Los Angeles 90036

Purpose and Activities: Giving primarily in California and Washington, with emphasis on higher education, hospitals, and health agencies; grants also for youth agencies, church support, and child welfare.

Financial Data (yr. ended 12/31/79): Assets, \$5,062,493 (M); expenditures, \$413,634, including \$382,750 for 70 grants (high: \$80,000; low: \$500).

- **Stulsaft (The Morris) Foundation**
100 Bush Street, Room 500
San Francisco 94104 (415) 986-7117

Purpose and Activities: Broad purposes; giving restricted to the San Francisco Bay Area, with emphasis on recreational, health, educational, and welfare programs for children. No grants to individuals.

Financial Data (yr. ended 12/31/79): Assets, \$15,168,357 (M); expenditures, \$806,820, including \$768,534 for 101 grants (high: \$39,982; low: \$250).

Grant Application Information: Grant application guidelines available; initial approach by letter; submit 1 copy of proposal; board meets 5 times a year in January, April, June, September, and November.

- **Taper (Mark) Foundation**
9465 Wilshire Boulevard, Suite 900
Beverly Hills 90212
Purpose and Activities: Broad purposes; primarily local giving, with emphasis on the performing arts, higher education, and youth agencies.

Financial Data (yr. ended 6/30/79): Assets, \$4,377,783 (M); gifts received, \$1,499,989; expenditures, \$1,575,223, including \$1,567,080 for 95 grants (high: \$500,000; low: \$35).

- **Teledyne Charitable Trust Foundation**
1901 Avenue of the Stars, Suite 1800
Los Angeles 90067
Purpose and Activities: Broad purposes; grants primarily to community funds; support also for higher education, hospitals, youth agencies, and secondary education. Applications not invited.

Financial Data (yr. ended 12/31/79): Assets, \$383 (M); gifts received, \$856,006; expenditures, \$829,351, including \$829,312 for 747 grants (high: \$45,000; low: \$20).

- **Ticor Foundation**
6300 Wilshire Boulevard
Los Angeles 90048 (213) 852-6317
Purpose and Activities: Broad purposes; primarily local giving, with emphasis on community funds, private higher education, hospitals, and health and youth agencies. No grants to individuals or for endowment funds or research; no operating grants to organizations receiving money from community funds.

Financial Data (yr. ended 12/31/79): Assets, \$3,310,427 (M); gifts received, \$873,833; expenditures, \$473,282, including \$436,602 for 475 grants (high: \$95,000; low: \$20).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal preferably in December or June; board meets quarterly in February, May, August, and November.

- **Times Mirror Foundation, The**
Times Mirror Square
Los Angeles 90053 (213) 972-3936
Incorporated in 1962 in California.

Purpose and Activities: Local giving, with emphasis on higher education, community funds, and cultural activities. No grants to individuals.

Financial Data (yr. ended 3/31/80): Assets, \$6,117,801 (M); gifts received, \$2,000,000; expenditures, \$992,652, including \$986,000 for 39 grants (high: \$230,000; low: \$2,500).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal in March or September; board meets semiannually in May and December.

- **Timken-Sturgis Foundation**
2100 Union Bank Building
San Diego 92101 (714) 236-1661

Purpose and Activities: Primarily local giving, with emphasis on education, medical research, and health services; support also for cultural programs. No grants to individuals.

Financial Data (yr. ended 11/30/79): Assets, \$1,362,073 (M); expenditures, \$86,208, including \$68,161 for 24 grants (high: \$15,000; low: \$100).

Grant Application Information: Initial approach by letter; submit 1 copy of full proposal.

- **Union Bank Foundation**
P.O. Box 3100
Los Angeles 90051 (213) 687-6120

Purpose and Activities: Broad purposes; grants primarily to California organizations located in areas of company operations, with emphasis on community funds, higher education, hospitals, and cultural programs. No grants to individuals or for endowment funds.

Financial Data (yr. ended 12/31/79): Assets, \$383,157 (M); gifts received, \$499,484; expenditures, \$367,943, including \$367,689 for 141 grants (high: \$140,000; low: \$25).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; board meets monthly.

- **Union Oil Company of California Foundation**
461 South Boylston Street
Los Angeles 90017 (213) 977-6172
Incorporated in 1962 in California.
Donor(s): Union Oil Company of California.

Purpose and Activities: Broad purposes; general giving, with emphasis on higher education, community funds, youth agencies, and various scholarship programs; matches employee contributions to colleges and universities up to \$1,000 per year per person. No grants to individuals or for endowment funds. Report issued annually.

Financial Data (yr. ended 12/31/79): Assets, \$8,770,822 (M); gifts received, \$10,000,000; expenditures, \$1,827,313, including \$1,676,212 for 294 grants (high: \$300,000; low: \$100) and \$119,265 for 447 matching gifts.

Grant Application Information: Grant application guidelines available; initial approach by telephone, letter, or full proposal in 1 copy; submit proposal preferably between February and September; board meets as required.

- **United California Bank Foundation**
707 Wilshire Boulevard, 25th Floor
Los Angeles 90017

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on education, including educational television, community funds, performing arts and cultural programs, hospitals, urban and civic affairs, and youth agencies.

Financial Data (yr. ended 12/31/79): Assets, \$11,666,706 (M); gifts received, \$4,000,000; expenditures, \$636,039 for 105 grants (high: \$150,000; low: \$300).

- **Upjohn California Fund, The**
P.O. Box 169
Carmel Valley 93924 (408) 659-4662

Purpose and Activities: Broad purposes; primarily local giving with emphasis on community funds, educational, scientific, and broadly based cultural organizations. No grants to individuals.

Financial Data (yr. ended 10/31/79): Assets, \$1,031,969 (M); expenditures, \$48,453, including \$32,600 for 34 grants (high: \$2,000; low: \$500).

Grant Application Information: Initial approach by letter; submit 1 copy of proposal; no application deadline; board meets quarterly in March, June, September, and December.

- **van Loben Sels (Ernst D.)-Eleanor Slate van Loben Sels Charitable Foundation**
225 Bush Street, Room 708
San Francisco 94104 (415) 983-1093

Purpose and Activities: Activities restricted to northern California. Priority given to nonrecurring grants in support of projects which will test potentially useful innovations in the areas of education, health, welfare, humanities, and the environment. Ordinarily no grants to individuals or for scholarships; for projects requiring medical, scientific, or other technical knowledge for evaluation; for operating budgets; for endowment funds; for capital expenditures; or to national organizations unless for a specific local project.

Financial Data (yr. ended 12/31/79): Assets, \$3,596,651 (M); expenditures, \$240,787, including \$182,120 for 52 grants (high: \$20,000; low: \$250).

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by full proposal in 3 copies, letter, or telephone; board meets about every 6 weeks.

- **Wade (The Elizabeth Firth) Endowment Fund**

P.O. Box 88
200 East Carrillo Street
Santa Barbara 93102

Purpose and Activities: Grants strictly for eleemosynary purposes; giving primarily to youth agencies and to aid the handicapped; support also for hospitals, education, and cultural programs.

Financial Data (yr. ended 1/31/80): Assets, \$1,776,328 (M); expenditures, \$123,798, including \$75,500 for 53 grants (high: \$14,500; low: \$200).

- **Weingart Foundation**
1200 Wilshire Boulevard, Suite 305
Los Angeles 90017 (213) 482-4343

Purpose and Activities: Broad purposes; giving confined to southern California nonprofit organizations, with emphasis on medicine, welfare, and education. No grants to individuals or for endowment funds. Report published annually.

Financial Data (yr. ended 6/30/80): Assets, \$176,227,967 (M); gifts received, \$170,681; expenditures, \$8,286,119, including \$6,496,058 for 63 grants (high: \$2,220,000; low: \$500).

Grant Application Information: Grant application guidelines available; initial approach by letter; submit 1 copy of proposal; board meets monthly.

- **Welk (Lawrence) Foundation**
100 Wilshire Boulevard, Room 700
Santa Monica 90401 (213) 451-5727

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on education, cancer research, hospitals, Roman Catholic institutions, and community funds.

Financial Data (yr. ended 10/31/79): Assets, \$764,143 (M); gifts received, \$140,500; expenditures, \$188,676, including \$181,995 for 87 grants (high: \$15,000; low: \$100).

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter; application form required; submit 1 copy of proposal preferably between January and August; application deadline September 1; board meets quarterly.

- **Whittier Foundation**
1300 West Fourth Street
Los Angeles 90017

Purpose and Activities: Broad purposes; primarily local giving, with emphasis on hospitals, aid to the handicapped, and medical research.

Financial Data (yr. ended 4/30/80): Assets, \$14,082,847 (M); gifts received, \$13,775,000; expenditures, \$1,272,960, including \$1,270,000 for 4 grants (high: \$1,200,000; low: \$1,000).

- **Zellerbach Family Fund, The**
260 California Street, Suite 1010
San Francisco 94111 (415) 421-2629

Purpose and Activities: Giving primarily in the San Francisco Bay Area for direct-service projects in the arts, education, health, mental health, and welfare. No grants to individuals or for endowment funds. Report issued annually.

Financial Data (yr. ended 12/31/79): Assets, \$16,879,606 (M); expenditures, \$1,138,763, including \$848,798 for 110 grants (high: \$200,000; low: \$500) and \$49,500 for 10 loans.

Grant Application Information: Program policy statement and grant application guidelines available; initial approach by letter, telephone, or full proposal in 1 copy; board meets quarterly.

Out of State Foundations

- Goldman, (Herman) Foundation
120 Broadway, Room 2945
New York, NY 10005 (212) 571-1425

Purpose: Broad purposes; primarily local giving but some aid for programs relating to nationwide problems; emphasis is on economically and socially deprived persons through innovative grants in areas of health, social development and justice, education and the arts. No grants to individuals.

Financial Data: (Year end 2/29/80): Assets \$17,979,585; gifts received \$5,669; expenditures \$1,131,837 including \$918,110 for 51 grants (high \$75,000, low \$2,000).

- Mott (Charles Stewart) Foundation
Mott Foundation Building
Flint, MI 48502 (313) 238-5651

Purpose: Supports community functioning through grants for expressing individuality, expanding personal horizons, citizenship, volunteer action counteracting root causes of alienation, community identification and stability, community renewal, fostering individual openness, better delivery of services, and training in and improving practices of leadership. Pioneer in community education concept. No grants to individuals or for building or endowment funds.

Financial Data: Assets \$407,115,114, expenditures \$32,331,540, including \$28,937,800 for 354 grants (high \$1,900,000; low \$107).

- Moody Foundation
704 Moody National Bank Bldg.
Galveston, TX 77550 (713) 763-5333

Purpose: Funds to be used within Texas for historic restoration projects, performing arts organizations, cultural programs; for promotion of health, science and education (including elementary and secondary) and in the field of religion. No grants to individuals except for students covered by two scholarship programs in Galveston County; no grants for operating budgets, except for beginning purposes.

Financial Data: Year ended 12/31/79, assets \$206,687,509, gifts received \$920,000; expenditures \$10,426,105, including \$8,863,454 for 128 grants; high \$1,000,000; low \$3,000, and \$294,621 for 330 scholarships.

Grant Application Information: Grant application guidelines available; invites approach by letter; submit one copy of proposal; board meets quarterly.

- McKnight Foundation
c/o Northwestern National Bank of Minneapolis
Minneapolis, MN 55480

Purpose and Activities: Two major areas of grantmaking: 1) human and/or social services, and 2) The McKnight Awards in Neuroscience. Grantmaking activities and programs in the seven-county Twin Lakes metropolitan areas. Particular interest in human service programs which will help alleviate or resolve problems faced by many members of the community; supports efforts to provide new programs or to expand existing programs which respond to the economic, legal, social, or physical problems of particular populations. Primary emphasis is on programs which provide direct social services. Consideration is given, however, to a variety of other program areas such as education, health, environment, arts, humanities, and public media.

Financial Data: (year ended 12/31/79): Assets \$173,727, 101; gifts received \$42,954,082; expenditures \$7,544,593 including \$7,285,452 for 142 grants (high \$3,000,000; low \$5,000).

Grant Application Information: Grant application guidelines available; initial approach by letter; submit 7 copies of proposal; board meets quarterly in February, May, August, and November.

- Deafness Research Foundation
342 Madison Avenue
New York, NY 10017
(212) 682-3737

Purpose and Activities: Research projects directed to any aspect of the ear or the auditory structure. (Aim: research into causes, treatment and prevention of deafness and other ear disorders).

Financial Data: Grants awarded during last fiscal year: 37; amount of grants awarded: \$349,089. Deadline (first) July 15; (renewal) August 15. Board meets for grants in December.

Grant Application Information: Contact Director of Medical Affairs at Foundation; Applicant-investigator must be a member of staff or otherwise officially attached to a tax-exempt institution where the research will be based.

●7. What are some organizations that primarily provide volunteer services and equipment for people with handicaps?

- The organizations that follow primarily provide services and equipment. In addition, many of these organizations are also referral sources for other donor agencies at the community level and some of these agencies provide funds as well as equipment and services:

Affiliated Leadership League of
and for the Blind of America
879 Park Avenue
Baltimore, MD 21201
(301) 752-4230

Alexander Graham Bell Associa-
tion for the Deaf
3417 Volta Place N.W.
Washington, DC 20007
(202) 337-5220 (Voice/TTY)

American Association for Health,
Physical Education and
Recreation
1201 16th Street N.W.
Washington, DC 20036

American Association of Workers
for the Blind (AAWB)
1511 K Street N.W.
Washington, DC 20005
(202) 347-1559

American Cancer Society
219 East 42nd Street
New York, NY 10017

American Deafness and Rehabili-
tation Assn. (ADARA)
814 Thayer Avenue
Silver Spring, MD 20910
(301) 589-0880 (Voice or TTY)

American Heart Association
44 East 23rd Street
New York, NY 10010

American Hospital Association
840 North Lake Shore Drive
Chicago, IL 60611

American Occupational Therapy Assn.
6000 Executive Blvd.
Rockville, MD 20852
(301) 770-2200

American Psychiatric Association
1700 19th St. N.W.
Washington, DC 20009
(202) 232-7878

American Public Health Assn.
1015 18th Street N.W.
Washington, DC 20036
(202) 467-5000

American Speech and Hearing Assn.
9030 Old Georgetown Road
Washington, DC 20014

Architectural and Transportation
Barriers Compliance Board (ATBCB)
330 C Street S.W., Room 1010
Washington, DC 20201
(202) 245-1591 (Voice/TTY)

B'nai B'rith Career and Counseling
Services (BBCCS)
1640 Rhode Island Avenue, N.W.
Washington, DC 20036
(202) 383-5284

Bureau of Education for the Handi-
capped (BEH)
Office of Education, HEW
400 Maryland Avenue, S.W.
Washington, DC 20202
(202) 245-2709

Center for Innovation in Teaching
the Handicapped (CITH)
Dissemination and Retrieval Unit
Indiana University
2805 East 10th Street
Bloomington, IN 47401
(812) 337-5847

Clearinghouse on the Handicapped
Office for Handicapped Individ-
uals, HEW
Room 338D, Hubert H. Humphrey Bld.
Washington, DC 20201
(202) 245-1961

Clovernook Home and School for
the Blind
7000 Hamilton Avenue
Cincinnati, OH 45231
(513) 522-3860

Committee for Purchase from the
Blind and Other Severely
Handicapped
2009 14th St. North, Suite 610
Arlington, VA 22201
(703) 557-1145

Community Services Administration
1200 19th St. N.W.
Washington, DC 20506
(202) 254-5840

Disabled American Veterans (DAV)
P.O. Box 14301
Cincinnati, OH 45214
(606) 441-7300

Easter Seal Research Foundation
2023 W. Ogden Avenue
Chicago, IL 60614
(213) 243-8400

Employment Standards Administra-
tion and Employment and Train-
ing Administration
Department of Labor (DOL)
208 Constitution Avenue N.W.
Washington, DC 20210
(202) 523-6666

Goodwill Industry of America, Inc.
9200 Wisconsin Avenue N.W.
Washington, DC 20014
(301) 530-6500

Legal Services Corporation
733 15th Street N.W.
Washington, DC 20005
(202) 272-4000

Mainstream, Inc.
1200 15th St. N.W.
Washington, DC 20005
(202) 833-1136

Mental Health Law Project (MHLF)
1200 19th Street NW, Suite 200
Washington, DC 20036
(202) 467-5730

National ALS Foundation, Inc.
185 Madison Avenue
New York, NY 10016
(212) 679-4016

National Amputation Foundation
1245 150th Street
Whitestone, NY 11357
(212) 767-0596

National Arts and the Handicapped
Information Service
Arts and Special Constituencies
Project
National Endowment for the Arts
2401 E Street NW
Washington, DC 20506
(202) 634-4284 (Voice)
(202) 634-4138 (TTY)

National Association of the Deaf
(NAD)
814 Thayer Avenue
Silver Spring, MD 20910
(301) 587-1788 (Voice or TTY)

National Association for Hearing
and Speech Action (NAHSA)
6110 Executive Blvd, Suite 1000
Rockville, MD 20852
(301) 897-8682 (Voice/TTY)

National Association of Re-
habilitation Facilities
5530 Wisconsin Avenue, Suite 955
Washington, DC 20015
(301) 654-5882

National Association for Re-
tarded Citizens
2709 Avenue E East
Arlington, TX 76011
(817) 261-4961

National Education Association
(NEA)
1201 16th Street, N.W.
Washington, DC 20036
(202) 833-4000

National Federation of the Blind
1800 Johnson Street
Baltimore, MD 21230
(301) 659-9314

National Industries for the
Blind (NIB)
320 Fulton Avenue
Hempstead, NY 11550
(516) 485-0230

National Industries for the
Severely Handicapped
4350 East-West Highway,
Suite 1120
Washington, DC 20014
(301) 654-1005

National Library Services for
the Blind and Physically
Handicapped
Library of Congress
1291 Taylor Street, N.W.
Washington, DC 20542
(202) 287-5100

National Rehabilitation Infor-
mation Center (NARIC)
4407 Eighth Street, N.E.
The Catholic University of
America
Washington, DC 20064
(202) 635-5822
(202) 635-5885 (TTY)

National Technical Institute for
the Deaf (NTID)
One Lomb Memorial Drive
Rochester, NY 14623
(716) 475-6400

New Eyes for the Needy
549 Millburn Avenue
Short Hills, NJ 07078
(201) 376-4903

Organization for Use of the Tele-
phone, Inc. (OUT)
P.O. Box 175
Owings Mills, MD 21117
(301) 655-1827

Office of Handicapped Concerns (OHC)
Office of Education, HEW
400 Maryland Avenue SW, Rm. 4129
Washington, DC 20202
(202) 245-0873

Office of Independent Living for
the Disabled (OILD)
Department of Housing and Urban
Development
451 7th Street, S.W., Rm. 9106
Washington, DC 20410
(202) 755-7366

Office of Personnel Management
Office of Affirmative Employment
Programs
Office of Selective Placement
Programs
1900 E Street N.W., Room 6514
Washington, DC 20415
(202) 632-5687

Paralyzed Veterans of America (PVA)
4350 East West Hwy, Suite 900
Washington, DC 20014
(301) 652-2135

Perkins School for the Blind
175 N. Beacon Street
Watertown, MA 02172
(617) 924-3434

President's Committee on Employment of the Handicapped (PCEH)
1111 20th St. N.W., 6th Floor
Washington, DC 20210
(202) 653-5044

Registry of Interpreters for the Deaf, Inc. (RID)
814 Thayer Avenue
Silver Springs, MD 20910
(301) 588-2406 (Voice/TTY)

Rehabilitation Services Administration (RSA)
Office of Human Development Services
Switzer Building
Washington, DC 20201
(202) 245-0322

Sensory Aids Foundation (SAF)
399 Sherman Avenue, Suite 12
Palo Alto, CA 94306
(415) 329-0430

Small Business Administration (SBA)
Special Projects Division
Office of Financing
1441 L Street N.W.
Washington, DC 20416
(202) 653-6570

Social Security Administration (SSA)
6401 Security Blvd.
Baltimore, MD 21235
(301) 594-7700

Technology Utilization Program
National Aeronautics and Space Administration
600 Independence Avenue S.W.
Washington, DC 20546
(202) 755-2420

Telecommunications for the Deaf, Inc.
814 Thayer Avenue
Silver Spring, MD 20910
(301) 588-4605 (voice)
(301) 589-3006 (TTY)

Urban Mass Transportation Admin.
Department of Transportation
400 Seventh Street S.W.
Washington, DC 20590
(202) 426-4023

United Cerebral Palsy Research and Education Foundation
66 East 34th Street
New York, NY 10016
(212) 889-6655

Veterans Administration (VA)
810 Vermont Avenue N.W.
Washington, DC 20420
(202) 393-4120

Volunteer Services for the Blind (VSB)
919 Walnut Street
Philadelphia, PA 19107

● 8. What system does the federal government use to provide revenue for federal program access projects and what are some examples of types of projects which have been funded?

● <u>Agency</u>	<u>Project</u>	<u>Funding for 1982</u>
Alcohol, Drug Abuse, & Mental Health Administration	Mental Health-Hospital Staff Development Grants	block grant
	Narcotic Addict Rehabilitation Act Contracts	block grant
	Community Mental Health Centers--Staffing & Construction	block grant
	Mental Health Research Grants	91,912,000
	Mental Health Clinical or Service Related Training Grants	47,321,000
	Alcohol Demonstration Programs	51,524,000
	Drug Abuse Demonstration Programs	block grant
	Alcohol Research Development Awards	project grant
	Alcohol Research Programs	10,282,000
	Drug Abuse Education Programs	16,100,000
Health Services Administration	Drug Abuse Research Programs	33,753,000
	Maternal and Child Health Research	block grant
Housing & Urban Development	Housing for the Elderly & Handicapped	830,000,000
Library of Congress	Books for the Blind & Physically Handicapped	33,243,000
National Science Foundation	Physically Handicapped in Science Program	unknown to date
Office of Education	Educationally Deprived Children--Handicapped	block grant

<u>Agency</u>	<u>Project</u>	<u>Funding for 1982</u>
Office of Education (cont.)	Handicapped--Research & Demonstration	block grant
	Handicapped Early Childhood Assistance	block grant
	Handicapped Innovative Programs --Deaf-Blind Centers	block grant
	Handicapped Media Services & Captioned Films	block grant
	Handicapped Regional Resource Centers	block grant
	Handicapped Personnel Preparation	block grant
	Handicapped Teacher Recruitment & Information	block grant
	Special Programs for Children with Specific Learning Disabilities	block grant
	Regional Education Programs for Deaf and Other Handicapped Persons	block grant
Office of Human Development Services	Handicapped Innovative Programs for Severely Handicapped Children	block grant
	Office for Handicapped Individuals	block grant
	Rehabilitation Services and Facilities--Basic Support	block grant
	Rehabilitation Services and Facilities--Special Projects	block grant
	Rehabilitation Research & Demonstrations	block grant
	Rehabilitation Training	block grant
	Developmental Disabilities Basic Support & Advocacy Grants	51,293,000

<u>Agency</u>	<u>Project</u>	<u>Funding for 1982</u>
	Developmental Disabilities-- Special Projects	block grant
	Developmental Disabilities-- Demonstration Facilities & Training	5,040,000
Small Business Ad- ministration	Handicapped Assistance Loans	UNTD
	Rehabilitative Research (Prosthetics)	9,421,000
	Blind Veterans Rehabilitation Centers	41,983,000
	Veterans Prosthetic Applicances	80,592,000
	Automobiles and Adaptive Equip- ment for Certain Disabled Veter- ans and Members of the Armed Forces	16,800,000
	Vocational Rehabilitation for Disabled Veterans	116,000,000
Dept. of Education, Office of Special Education and Re- habilitative Ser- vices	Handicapped Preschool & School Programs	931,008,000
	Preschool Incentive Grants	24,000,000
	Handicapped Innovative Programs --Programs for Severely Handi- capped Children & Youth	15,360,000
	Handicapped Early Childhood Assistance	9,600,000
	Regional Education Programs for Deaf and Other Handicapped Per- sons	2,832,000
	Rehabilitation Services and Fa- cilities	863,040,000
	Rehabilitation Services and Fa- cilities Special Projects	23,894,000
	Centers for Independent Living	17,280,0000

<u>Agency</u>	<u>Project</u>	<u>Funding for 1982</u>
Dept. of Education, Office of Special Edu- cation, and Rehabili- tative Services (cont.)	Handicapped Research & Demon- stration	7,200,000
	Handicapped Media Services & Captioned Films	11,520,000
	Handicapped Regional Resource Centers	2,880,000
	Handicapped Teachers Recruit- ment and Information	720,000
	Handicapped Personnel Prepara- tion	33,600,000
	Special Studies of PL 94-142	480,000
	Program for Education of Handi- capped Children in State Oper- ated or Supported Schools	146,520,000
	Rehabilitation Training	19,200,000
	National Institute of Handi- capped Research	28,560,000
	National Council on the Handi- capped	197,000
Veterans Adminis- tration Programs	Rehabilitative Research	7,066,000
	Automobiles and Adaptive Equip- ment for Certain Disabled Veterans	116,600,000
Social Security Administration	Developmental Disabilities Basic Support & Advocacy Grants	51,293,000
	Developmental Disabilities Spe- cial Projects	2,400,000
	Developmental Disabilities Uni- versity Affiliated Facilities	5,040,000

<u>Agency</u>	<u>Project</u>	<u>Funding for 1982</u>
Other categorically funded programs:	Handicapped Assistance Loans	15,000,000
	Housing for the Elderly or Handicapped	830,000,000
	Medical Assistance Program:	

Interim published regulations (September 30, 1981) provide for a 3% reduction in the federal share of Medicaid. States can obtain some relief from the 3% reduction if they operate a qualified hospital cost review program, the state is experiencing an unemployment rate exceeding 150 percent of the national average, and/or the state can demonstrate recoveries from fraud and abuse, and during FY 1982 only, third party recoveries which equal at least one percent of the total federal payments received by the state during that quarter. For each condition, a state could redeem one percent of the 3% reduction in federal payments.

● 9. What are some sources for information on funding for program access and service needs at the community level for people with handicaps in California?

● INDEPENDENT LIVING PROGRAMS

Adult Independent Development Center
2275 South Bascom
Campbell, CA 95008
Santa Clara County
(408) 371-7010

Center for Independence of the Disabled, Inc.
875 O'Neill Avenue
Belmont, CA 94002
San Mateo County
(415) 595-0783

Bakersfield Center for Independent Living
519 E. California Street
Bakersfield, CA 93307
Kern County
(805) 327-3345

Center for Independent Living
2539 Telegraph Avenue
Berkeley, CA 94704
Alameda County
(415) 841-4776

C.A.P.H. Service Center
605 West Home Avenue
Fresno, CA 93728
Fresno County
(209) 237-2055

Community Resources for Independence
1420 Guerneville, Bldg. D, Suite 3
Santa Rosa, CA 95404
Sonoma County
(707) 528-2745

Community Resources for Independent Living, Inc.
26633 Jane Street
Hayward, CA 94544
Alameda County
(415) 881-5743

Community Service Center for the Disabled, Inc.
1295 University Avenue
San Diego, CA 92103
San Diego County
(714) 293-3500

Darrell McDaniel Independent Living Center
14354 Haynes
Van Nuys, CA 91401
Los Angeles County
(213) 988-9525

Dayle McIntosh Center for the Disabled
8100 Garden Grove Blvd.
Garden Grove, CA 92644
Orange County
(714) 898-9571
(714) 532-1646 (Orange Office)

Coalition Center of the Disabled
120 East Granger
Modesto, CA 95350
Stanislaus County
(209) 578-1094

Community Rehabilitation Services (Spanish Speaking Task Force)
4716 Brooklyn Avenue, Bldg B, Room 75
Los Angeles, CA 90022
Los Angeles County
(213) 266-0453

Good Shepherd Center for Independent Living
4323 Leimert Blvd.
Los Angeles County
(213) 295-8366

Handicapped Resource Center
114 East Italia Street
Covina, CA 91723
Los Angeles County
(213) 967-0635

Humboldt Access Project
428 First Street
Eureka, CA 95501
Humboldt County
(707) 445-8404

Independent Living Resource Center
905 De La Vina
Santa Barbara, CA 93101
Santa Barbara County
(805) 963-1359

Disabled Resources Center, Inc.
1045 Pine Avenue
Long Beach, CA 90813
Los Angeles County
(213) 437-3543

East San Gabriel Valley Services for the Disabled
2231 East Garvey Avenue
West Covina, CA 91791
Los Angeles County
(213) 339-1278

Resources for Independent Living
1230 H Street
Sacramento, CA 95814
Sacramento County
(916) 446-3074

Rolling Start, Inc.
560 West Fourth Street
San Bernardino, CA 92410
San Bernardino County
(714) 884-2129

San Francisco Independent Living Project, Inc.
4429 Cabrillo Street
San Francisco, CA 94121
San Francisco County
(415) 751-8765

Southeast Center for Independent
Living--Disabilities Unlimited
12459 Rives Ave., Room 202
Downey, CA 90242
Los Angeles County
(213) 862-6531

Marin Center for Independent
Living
710 Fourth Street
San Rafael, CA 94901
Marin County
(415) 459-6245, x 320

Northern California Independent
Living Center
360 East First Street
Chico, CA 95926
Butte County
(916) 893-8527

Westside Community for Independent
Living
11687 National Blvd.
Los Angeles, CA 90064
Los Angeles County
(213) 473-8421

AREA BOARDS--Developmental Disabilities

Organization of Area Boards
Main Office
1507 21st St., Room 320
Sacramento, CA 95814
(916) 323-0750

Area Board I
P.O. Box 245
Ukiah, CA 95482
(707) 462-0518

Area II Board
2440 Main St., Room 39
Red Bluff, CA 96080

Area Board III
1722 "J" Street, Suite 321
Sacramento, CA 95814
(916) 322-6078

Area Board IV
1700 Second Street, Suite 384
Napa, CA 94558
(707) 252-6644

Area Board V
1111 Jackson Street, Rm. 4014
Oakland, CA 94607
(415) 464-0439

Area Board VI
1230 13th Street, Suite B
Modesto, CA 95354
(209) 526-6840

Area Board VII
Agnews Residential Facility
San Jose, CA 95114
(408) 988-0111

Area Board IX
3704 State Street, Suite 310
Santa Barbara, CA 93105
(804) 682-8374

Area Board X
1300 West Olympic Blvd, Suite 300
Los Angeles, CA 90015
(213) 736-3402

Area Board XI
250 South El Camino Real, Suite 110
Tustin, CA 92680
(714) 731-4787

Area Board XII
1960 Chicago Avenue, Suite E-8
Riverside, CA 92507
(714) 781-0722

Area Board XIII
6160 Mission Gorge Road, Suite 208
San Diego, CA 92120

Regional Centers for the Developmentally Disabled

Regional Center

Counties Served

Alta California Regional Center
4010 El Camino Avenue, Suite A
Sacramento, CA 95821
(916) 481-6101

Alpine, Colusa, El Dorado,
Nevada, Placer, Sacramento,
Sierra, Sutter, Yolo, Yuba

Central Valley Regional Center
4747 N. First St., Suite 195
Fresno, CA 93726
(209) 225-4500

Fresno, Kings, Madera, Mari-
posa, Merced, Tulare

Far Northern Regional Center
2400 Washington Avenue, Suite 301
P.O. Box 1848 (96099)
Redding, CA 96001
(916) 243-4791

Butte, Glenn, Lassen, Modoc,
Plumas, Shasta, Siskiyou, Te-
hama, Trinity

Golden Gate Regional Center
100 Mission Street, Suite 400
San Francisco, CA 94105

Marin, San Francisco, San
Mateo

Inland Counties Regional Center
814 North Arrowhead
P.O. Box 6127 (92412)
San Bernardino, CA 92401
(714) 888-6631

Inyo, Mono, Riverside, San
Bernardino

Kern Regional Center
501 40th Street
P.O. Box 2536 (93303)
Bakersfield, CA 93301
(805) 32708531

Kern

North Bay Regional Center
1710 Soscol Avenue
Napa, CA 94558
(707) 252-0444

Napa, Solano, Sonoma

North Coast Regional Center
413 North State Street
Ukiah, CA 95482
(707) 462-3932

Del Norte, Humboldt,
Mendocino, Lake

Regional Center of Orange County
Central Tower, Union Bank Square
500 South Main
Orange, CA 92668
(714) 973-1999

Orange

Regional Center

Regional Center of the East Bay
2201 Broadway
Oakland, CA 94612
(415) 451-7232

San Andreas Regional Center
1270 Winchester Blvd.
P.O. Box 50002
San Jose, CA 95150

San Diego Regional Center
8001 Frost Street
San Diego, CA 92123
(714) 292-2996

Tri-Counties Regional Center
222 East Canon Perdido
Santa Barbara, CA 93101
(805) 963-6717

Valley Mountain Regional Center
850 North Hunter Street
Stockton, CA 95202
(209) 948-0636

Eastern Los Angeles Regional Center
801 S. Garfield Avenue, Suite 305
Alhambra, CA 91801
(213) 570-8620

Frank D. Lanterman Regional Center
1605 W. Olympic Blvd, Suite 600
Los Angeles, CA 90015
(213) 383-1300

Harbor Regional Center
Village Del Amo Plaza
21231 Hawthorne Blvd.
Torrance, CA 90503
(213) 540-1711

North Los Angeles County Regional Center
14602 Victory Blvd.
Van Nuys, CA 91411
(213) 997-1311

San Gabriel Valley Regional Center
1373 E. Center Court Drive
Covina, CA 91724
(213) 966-4416

Counties Served

Alameda, Contra Costa

Monterey, San Benito,
Santa Clara, Santa Cruz

Imperial, San Diego

San Luis Obispo, Santa
Barbara, Ventura

Amador, Calaveras, San Joa-
luin, Stanislaus, Tuolumne

Area Served

Alhambra, East Los Angeles,
Northeast, Whittier

Central, Glendale, Hollywood-
Wilshire, Pasadena

Bellflower, Harbor,
Long Beach, Torrance

East Valley, San Fernando,
West Valley

El Monte, Monrovia, Pomona

Regional Center

South Central Los Angeles Regional Center
2160 W. Adams Blvd.
Los Angeles, CA 90017
(213) 734-1884

Western Regional Center
11300 S. LaCienega Blvd, Suite 400
Inglewood, CA 90304
(213) 670-7715

Counties Served

Compton, San Antonio South,
Southeast, Southwest

Inglewood, Santa Monica-
West

● 10. What is the general process for applying to a private foundation for funds or other resources?

- a. Understand the general characteristics of most foundations and how they operate.*

General Characteristics of Four Types of Foundations

Foundation Type	Description	Source of Funds	Decision-Making Body	Grantmaking Activity	Reporting Requirements
Independent Foundation	An independent grant-making organization established to aid social, educational, religious, or other charitable activities	Endowment generally derived from a single source such as an individual, a family, or a group of individuals. Contributions to endowment limited as to tax deductibility	Decisions may be made by donor or members of donor's family; by an independent board of directors or trustees; or by a bank or trust officer acting on donor's behalf	Broad discretionary giving allowed but may have specific guidelines and give only in a few specific fields. About 70% limit giving to local area	Annual information returns 990-PF and AR (annual report) filed with IRS must be made available to public. Small percentage issue separately printed annual reports
Company-sponsored Foundation	An independent grant-making organization with close ties to the corporation providing funds	Endowment and annual contributions from a profit-making corporation. May maintain small endowment and pay out most of contributions received annually in grants, or may maintain endowment to cover contributions in years when corporate profits are down	Decisions made by board of directors often composed of corporate officials, but which may include individuals with no corporate affiliation. Decisions may also be made by local company officials	Giving tends to be in fields related to corporate activities or in communities where corporation operates. Usually give more grants but in smaller dollar amounts than independent foundations	Same as above
Operating Foundation	An organization which uses its resources to conduct research or provide a direct service.	Endowment usually provided from a single source, but eligible for maximum tax deductible contributions from public	Decisions generally made by independent board of directors	Makes few, if any, grants. Grants generally related directly to the foundation's program	Same as above
Community Foundation	Most often a publicly-supported organization which makes grants for social, educational, religious, or other charitable purposes in a specific community or region	Contributions received from many donors. Usually eligible for maximum tax deductible contributions from public	Decisions made by board of directors representing the diversity of the community	Grants generally limited to charitable organizations in local community	IRS 990 return available to public. Many publish full guidelines or annual reports

*Note: For terms often used by grantmakers and grantseekers, see the Glossary of Foundation Terms at the end of this Handbook section.

b. Select the Appropriate Foundations for the Type of Project Proposed

Develop a list of foundations which have funded projects in the subject field and geographic area. Eliminate from consideration foundations which do not have the funds to finance the project or whose limitations statement excludes the type of project from their scope of interest.

Keep in mind the following questions:

- Has the foundation demonstrated a real commitment to funding in the subject field?
- Does it seem likely that the foundation will make grants in the geographic area?
- Does the amount of money to be requested fit within the foundation's grant range?
- Does the foundation have any policy prohibiting grants for the type of support to be requested?
- Does the foundation prefer to make grants to cover the full cost of a project or do they favor projects where other foundations or funding sources share the cost?
- What types of organizations does the foundation tend to support?
- Does the foundation have specific application deadlines and procedures or does it review proposals continuously?

c. Contact the Foundations

Foundations vary in the way they prefer to be contacted by grant-seekers. Some prefer to receive a full grant proposal as the initial contact; others welcome a telephone call to determine whether a proposal falls within their guidelines. Most foundations, however, prefer to receive a brief query letter, or letter of intent, that outlines the proposal. The desired contact procedure can usually be found in the various guides which list foundations. A request for information on how to apply for a grant can also be made directly to the foundation itself.

d. Letter of Intent

A letter of intent should succinctly include the following information in one to two pages:

A brief description of the organization including the goal or purpose, the community or constituency served, past and current sources of support, and key projects or significant achievements. Include a sentence or two about the governing structure or the board of directors.

A statement on the problem or issue to be addressed in this request for funds. What are you going to do and why?

Offer to develop a full proposal or supply more information should the foundation be interested.

A budget for the project or a statement on the amount of funding needed.

e. Prepare the grant proposal

1) Writing Skills and Techniques

Books and articles on proposal writing are available in public libraries. Several resources for this purpose are listed in the bibliography at the end of this Handbook Section. A beginning grantseeker may want to browse through these materials before writing a proposal. However, writing a proposal does not require special knowledge or skills. There's no one "right" format or outline to follow. A good program plan and clear writing can result in an excellent proposal.

The first rule of proposal writing is to write simply and concisely. When addressing a proposal to experts in the field, such as employees and consultants of many governmental agencies and of a few foundations, you may use appropriate technical terms. If not, it is important to define and explain your terms.

2) What to Include

a) Summary

A proposal can include a brief summary which a reviewer can quickly scan to learn about the project. This consists of a few sentences which describe the proposal.

b) Problem or need

The problem or need the project is attempting to address should be clearly defined and well-documented. Although a literature search is sometimes valuable, it is not always necessary. There is no need to have elaborate footnotes.

The need should be stated concisely in one sentence, indicating in measurable terms, if at all possible, the intensity of the problem, the people affected, and their geographical location.

In addition, the problem should be worth solving and compatible with the foundation's purpose and goals.

c) The population

The population which will be served should be described in as much detail as is relevant to the project.

d) Objectives

The main objectives of the project should be clearly stated.

Objectives are a specification of the outcomes of a project, in measurable terms, over a given period of time. It could be a change in a community, institution, family, group, or individual. The outcome (objective) of a proposed project must be a solution, in whole or part, of the stated problem, or an alleviation of the stated need.

Setting measurable objectives results in specifying the criteria for evaluating the project.

e) Method or description of the program

A program or method is a set of interrelated activities organized to achieve an objective. For each objective there must be at least one program. It should be clearly shown how each program relates to an objective by describing the methods to be used and the activities to be undertaken during the project. This should be as concrete and specific as possible. A timeline of project activities may be included.

The description of the program or method could include alternatives that were considered and why they were rejected.

Describe the roles and functions of key project staff and how decisions will be made.

f) The Rationale

This section justifies and advocates why it is essential for this project to take place. The rationale should be logically and persuasively presented. Citations from literature and people with expertise could be included.

g) Budget

No proposal would be complete without a budget, which is simply the project stated in dollar amounts. Budgets must take into account three different and sometimes conflicting requirements:

- (1) A budget must contain the estimated cost to carry out every single activity that makes up the program.
- (2) The budget must conform with the policies of the potential sponsor. Some sponsors will not fund specific cost items such as office furniture, international travel, and indirect costs. Additional funds would have to be sought from other sources for programs which require one of these items.
- (3) The budget must conform with the policies of the proposing agency.

h) Credibility

A brief overview of the agency's history and accomplishments coupled with a detailed review of its performance in the area of the proposal can reinforce the department's credibility. The proposal itself should go a long way toward establishing the qualifications of the agency and its validity for funding purposes.

Support from the community, both geographical and professional (letters of endorsement) is valuable. To show that other sponsors have found the agency credible, previous grants and contracts can be listed. To show that consumers have a high regard for the agency, statistics on the demand for delivery of services can be presented.

i) Additional information

In addition to the narrative and budget sections, most foundations require that the following be attached to the proposal:

- (1) An authorization from the Board of Directors to apply for the grant.
- (2) Proof of your organization's tax-exempt status. (If you are not incorporated, you may need to find a fiscal agent (see glossary)).

- (3) A list of the Board of Directors.
- (4) A list of other possible funding sources for this project. It is acceptable, even preferable, to apply to more than one funder for the same project.
- (5) The organization's budget and financial statement.

You may want to add other materials to your proposal, including:

- (6) Resumes of staff members involved in the project.
- (7) Letters of support for the project.
- (8) News clippings about your project.
- (9) A list of foundations or other funders who have contributed to the organization in the past.
- (10) A research and evaluation design component is often part of a grant proposal. This includes:
 - (a) description of what the data will be collected on
 - (b) methods for collection and how the data will be interpreted
 - (c) short and long range plans for evaluating the project
 - (d) models or evaluation procedures

The evaluation should be directly related to each objective and method to determine its effectiveness.

An additional section on long range future plans related to the project could also be included.

●11. What additional resources provide information on grant writing, government funding, and foundations in California?

- California Community Foundation
1644 Wilshire Blvd.
Los Angeles, CA 90017
213/413-4042

San Diego Public Library
820 E Street
San Diego, CA 92101
714/236-5816

San Francisco Public Library
Business Branch
530 Kearney St.
San Francisco, CA 94108

Santa Barbara Public Library
Reference Section
40 E. Anapamu
P.O. Box 1019
Santa Barbara, CA 93102
805/962-7653

The Foundation Center
312 Sutter Street
San Francisco, CA 94108
415/397-0902

University Research Library
Reference Department
University of California
Los Angeles, CA 90024

GLOSSARY OF FOUNDATION TERMS

The following list includes important terms used by grantmakers and grantseekers. Many of these definitions have been supplied by the Northern California Foundation Group, an association of grantmakers in the northern California area, and by Caroline McGilvray, Director, The Foundation Center San Francisco Field Office.

501(c)(3): The section of the Internal Revenue Code which defines nonprofit, charitable, tax-exempt organizations. Most foundations limit their giving to organizations which have 501(c)(3) status.

990-AR: A report submitted by all private foundations to the Internal Revenue Service each year. Foundations are required by law to make this report available for public inspection in their offices for 180 days after filing. The 990-AR includes financial information on the foundation, a list of grants or contributions made during the year, and the names and addresses of foundation managers. The Foundation Center libraries maintain files of the 990-ARs for public inspection.

990-PF: A second report to the IRS submitted by private foundations. The 990-PF includes more detailed information on the foundation's financial holdings and income than the 990-AR. Filmed copies of these returns are also kept at the Foundation Center libraries.*

Annual Report: A separately published report issued by approximately 530 foundations on a voluntary basis which describes their activities and application processes. Annual reports vary in format from simple typewritten documents listing the year's grants to detailed publications which provide substantial information about a foundation's grantmaking program. Annual reports may be obtained by writing or calling the foundation directly. Foundation Center libraries also keep current reports on file.

Assets: The amount of money, stocks, bonds, real estate, or other holdings of the foundation. Most foundations invest their assets and use the income earned to make grants.

Beneficiary: One who benefits from the actions of another; in philanthropic terms, an individual or organization which receives funds from a foundation. Foundations whose legal terms of establishment restrict their giving to one or more named beneficiaries are not included in this *Directory*.

Bricks and Mortar: An informal term for grants for buildings or construction projects.

Capital Support: Funds provided for buildings, construction, or equipment.

Challenge Grant: A grant award that will be paid only if the donee organization is able to raise additional funds from another source(s). Challenge grants are used to stimulate giving from other foundations or donors.

Community Fund: An organized community program which makes annual appeals to the general public for funds which are usually not retained in an endowment but are used for the ongoing operational support of local social and health service agencies.

Community Foundation: Most often a publicly supported organization which makes grants for social, educational, religious, or other charitable purposes in a specific community or region. Funds are derived from many donors and usually are retained in an endowment; income earned by the endowment is then used to make grants. Although some community foundations are designated by the IRS as private foundations, most are classified as public charities eligible for the maximum tax-deductible contributions from the public.

Company-Sponsored Foundation: A private foundation whose funds are derived from a profit-making corporation or company and whose primary purpose is the making of grants. The company-sponsored foundation may maintain close ties with the donor company, but it is an independent organization with its own endowment and is subject to the same rules and regulations as other private foundations.

Corporate Giving Program: A grantmaking program established and administered within a profit-making corporation or company. Corporate giving programs do not have a separate endowment and their annual grant totals are generally directly related to the previous year's profits. They are not subject to the same reporting restrictions as private foundations. Some companies may make charitable contributions through both a corporate giving program and a company-sponsored foundation. Company-sponsored foundations are included in this *Directory*; corporate giving programs are not.

Declining Grant: A multi-year grant which grows smaller each year in the expectation that the donee organization will raise other funds to make up the gap.

Denial: The term used when a grant request is turned down. A denial letter is sent by many foundations to the applicant explaining why the grant was not made.

Distribution Committee: The board responsible for making grant decisions for community foundations. It is intended to be broadly representative of the community served by the foundation.

Donee: The individual or organization which receives a grant. (Also known as the grantee.)

Donor: The individual or organization which makes a grant or contribution. (Also known as the grantor.)

Donor Control: Exists when the donor or his/her family makes grant decisions and sets guidelines for how the foundation's funds are spent.

Donor-Directed Gift: A gift or bequest to a foundation in which the donor specifies to whom the money should be distributed.

Employee Matching Gift: A contribution to a charitable organization by a corporate employee which is matched by a similar contribution from the employer. Many corporations have employee matching gift programs in higher education to stimulate their employees to give to the college or university of their choice.

Endowment: Funds intended to be kept permanently and invested to provide income for continued support for an organization.

Expenditure Responsibility: When a private foundation makes a grant to an organization which is not tax exempt (501(c)(3)), it is required by law to insure that the funds are spent for charitable purposes and not for private gain or political activities. Special reports on the organization or individual receiving the grant must be filed with the IRS, and the organizations must be listed on the foundation's 990-PF. Because such grants require additional work and responsibility, many foundations will not make grants to non-tax exempt organizations.

Family Foundation: An independent private foundation whose funds are derived from members of a single family. Generally family members serve as officers or board members of the foundation and play an influential role in grantmaking decisions.

Financial Report: A report detailing how grant funds were used by an organization. Many foundations require this kind of report from grantees. A financial

report should include a listing of all expenses paid for from grant funds as well as a general organizational financial report covering income and expenses, assets and liabilities.

General Purpose Foundation: An independent private foundation which awards grants in many different fields of interest. (see also Special Purpose Foundation.)

General Purpose Grant: A grant made to further the general purpose or work of an organization, rather than for a specific purpose or project.

Grassroots Fundraising: Efforts to raise money from individuals or groups from the local community on a broad basis. Usually an organization does grassroots fundraising within its own constituency — people who live in the neighborhood served or clients of the agency's services. Grassroots fundraising activities include membership drives, raffles, bake sales, auctions, benefits, dances, and a range of other activities. Foundations often feel that successful grassroots fundraising indicates that an organization has substantial community support.

Independent Foundation: A grantmaking organization designated by the IRS as a private foundation. Independent foundations may also be known as family foundations, general purpose foundations, special purpose foundations, or private non-operating foundations. The *Directory* defines independent foundations and company-sponsored foundations separately, however both are legally classified as private, non-operating foundations and are subject to the same rules and requirements under law.

In-Kind Contribution: A contribution of equipment, supplies, or other property in lieu of a monetary grant. Some organizations may also donate space or staff time as an in-kind contribution. The donor may place a monetary value on in-kind gifts for tax purposes.

Leverage: A concept of fundraising practiced by some foundations. Leverage occurs when a small amount of money is given with the express purpose of attracting larger funding from other sources or of providing the organization with the tools it needs to raise other kinds of funds. Sometimes known as the "multiplier effect."

Matching Grant: A grant which is made to match funds provided by another donor. (see also Challenge Grant; Employee Matching Gift.)

Operating Foundation: A fund or endowment designated by the IRS as a private foundation whose primary purpose is to conduct research, social welfare, or other programs determined by its governing body

or establishment charter. Some grants may be made, but the sum is generally small relative to the funds used for the foundation's own programs.

Operating Support Grant: A grant to cover the day-to-day personnel, administrative, and other expenses for an existing program or project.

Payout Requirement: The amount of funds that foundations are required to expend for charitable purposes (includes grants and the administrative cost of making grants). Currently, foundations are required to pay out 5 percent of the average market value of their assets or their full net income for the year, whichever is greater.

Private Foundation: A nongovernmental, nonprofit organization with funds (usually from a single source, such as an individual, family, or corporation) and program managed by its own trustees or directors and which was established to maintain or aid social, educational, religious, or other charitable activities serving the common welfare, primarily through the making of grants.

Program Amount: Funds which are expended to support a particular program. In this *Directory*, this term refers to the total dollars spent to operate programs administered internally by foundation staff.

Program Officer: A staff member of a foundation who reviews grant proposals and processes applications for the board of trustees. Only a small percentage of foundations have program officers.

Program Related Investment: A loan made by private foundation to profit-making or nonprofit organizations for a project related to the foundation's stated purpose and interests. Program-related investments are often made from a revolving fund; the foundation generally expects to receive its money back with interest which will then provide additional funds for loans to other organizations. Program-related investments are made by relatively few foundations.

Proposal: A written application often with supporting documents submitted to a foundation in requesting a

grant. Preferred procedures and formats vary. Consult published guidelines.

Public Charity: An organization which derives at least one-third of its funding from the general public and which maintains or aids social, educational, religious, or other charitable activities. Some public charities engage in grantmaking activities, while others engage in direct service or other tax exempt activities. Public charities are eligible for maximum tax deductible contributions from the public and are not subject to the same rules and restrictions as private foundations. They are also referred to as "public foundations" or "publicly supported organizations" and many may use the term "foundation" in their names.

Query Letter: A brief letter outlining an organization's activities and its request for funding sent to foundations to determine whether it would be appropriate to submit a full grant proposal. Many foundations prefer to be contacted in this way before receiving a full proposal.

RFP: Request for Proposal. When the government issues a new contract or grant program, it sends out RFPs to agencies that might be qualified to participate. The RFP lists project specifications and application procedures. A few foundations occasionally issue RFPs in specific fields, but most prefer to consider proposals that are initiated by applicants.

Seed Money: A grant or contribution used to start a new project or organization. Seed grants may cover salaries and other operating expenses of a new project.

Special Purpose Foundation: A private foundation which focuses its grantmaking activities in one or a few special areas of interest. For example, a foundation may only award grants in the area of cancer research or child development. (see also **General Purpose Foundation**.)

Trustee: A member of a governing board. A foundation's board of trustees meets to review grant proposals and make decisions. May also be referred to as "directors."

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LEGAL MANDATES ON PROGRAM ACCESS

Definition

Legal mandates on program access address those federal and state laws, regulations, and executive orders that were established to assure equal opportunity, fair treatment and nondiscrimination for people with handicaps. These laws apply to people in California.

Role of Program Access Coordinator

Be aware and knowledgeable of state and federal laws, regulations, and policies relating to the nondiscrimination and fair treatment of persons with disabilities.

May serve as a consultant to other department personnel on the extent and coverage of legal mandates.

Be able to reference applicable regulations when developing and justifying alternatives to resolve program access issues.

HOW TO USE THE LEGAL MANDATES SECTION

In order to make effective use of this Section, determine which general areas of the law need review. For example, Access to state facilities; Education of the handicapped; Housing for the handicapped.

Look at the general headings (indicated by capital letters). Once the general area has been determined, review the subheadings under the general headings. For example, in the area of Housing, the reader may be interested in laws pertaining to state policy on the issue of "housing for the handicapped" or housing-related tax exemptions. After the appropriate subheading is located, all laws pertaining to that specific subject area will be found listed according to the title of the Code or Regulations in which they are to be found. Each individual listing of the law provides the Code title and section, a descriptive title of the law, and a brief description of the body of the law.

If a particular law deals with two subject areas, for example, "physical access to transportation vehicles," there will be a reference to the general heading which most accurately describes the content of the law. The categories used for the state laws do not directly correlate to the categories used for federal laws, because the federal laws are not as substantive as the state laws. Through its legal mandates, the federal government says to the states, "If you come up with all the substance for the plans for helping the handicapped and we approve, we'll help you fund your programs."

The systems for federal legislation and state legislation are basically the same for format and cross-referencing.

Some abbreviations used only for federal mandates are:

U.S.C. = United States Code (statutes)
C.F.R. = Code of Federal Regulations
F.R. = Federal Register (Executive Orders)

The abbreviation "et seq." is Latin for et sequitor and simply means "and the following." It is used after several section numbers to indicate that this particular section and the sections directly following it are summarized in one paragraph.

STATE MANDATES

A. ACCESS, FACILITY

1. ArchitecturalGovernment Code § 4450 - Basic Architectural Access

All buildings, structures, sidewalks, curbs, and related facilities, constructed in this state by use of state, county, or municipal funds, or the funds of any political subdivision of the state shall be accessible to and usable by the physically handicapped. The State Architect shall be responsible for developing standards and regulations to create this accessibility.

Health & Safety Code § 19955 - Basic Architectural Access

The purpose of this chapter of the Code is to insure that public accommodations or facilities constructed in this state with private funds adhere to Government Code § 4450.

Health & Safety Code § 19955.5 - Service Stations, Shopping Centers, Office Buildings

All passenger vehicle service stations, shopping centers, offices of physicians and surgeons, and office buildings constructed in this state with private funds must adhere to the provisions of Government Code § 4450.

Health & Safety Code § 19956 - Public Accommodations

All public accommodations must comply with the provisions of government code 34450 to the extent that a reasonable portion of all facilities used by the public are accessible to the handicapped.

Health & Safety Code § 19958 - Enforcement

City and county building departments are responsible for enforcing these provisions.

Health & Safety Code § 19959 - Repairs and Additions

Any public accommodation constructed prior to July 1, 1970, to which this chapter would apply must comply with the same provisions when alterations, repairs, or additions are made.

2. Architectural: Barrier Free DesignBusiness & Professions Code § 5550.1 - Barrier Free Design - Architecture Certification Examinations

Applicants for certificates to practice architecture must demonstrate knowledge and understanding of exterior and interior barrier free design, and questions pertaining thereto shall be included on examinations.

Business & Professions Code § 5600.05 - Barrier Free Design - Current Regulations

Applicants for renewal of a certificate to practice architecture are required to acknowledge receipt of current regulations, standards, and codes prepared by the Department of Rehabilitation affecting barrier free design.

3. Architectural: BuildingsGovernment Code § 4451 - Applicability

This provision is applicable to all buildings constructed with public funds intended for use by the public, which have availability to or usage by the physically handicapped including all buildings used for education and instruction. All such buildings and facilities shall conform to standards published in the State Building Standards Code and by the State Architect.

Government Code § 4456 - Repairs and Additions

Any building constructed before November 13, 1968, to which this chapter would apply must comply with the same provisions when alterations, repairs, or additions are made.

State Mandates, Continued

Government Code § 4457 - Exemption of Portable Buildings in School District

Any portable buildings leased or owned by a school district which are not used by the physically handicapped and which are otherwise subject to this chapter may be excepted with the approval of the Department of Rehabilitation.

4. Architectural: Buildings: Housing

Health & Safety Code § 50670 - Demonstration Housing Rehabilitation Program for the Elderly and the Handicapped

SEE: HOUSING: Funding: Loans and Grants

Health & Safety Code § 51230 - Occupancy by Persons With Orthopedic Disabilities

SEE: HOUSING: Rental Units

5. Architectural: Buildings: Standards

Government Code § 4452 - Building Standards

State Building Standards Codes standards and State Architect regulations shall be used as minimum requirements to insure accessibility.

6. Architectural: Education

Government Code § 4455 - Educational Programs

The Department of Rehabilitation shall be responsible for educating the public, governmental officials, architects, and other interested parties in order to encourage and create accessibility.

7. Architectural: Elevators

Government Code § 4455.5 - Elevators

All new elevators (after 1979) and all new door casings on elevators floors shall have braille symbols and marked arabic numerals corresponding to the floor numbers embossed next to the buttons inside the elevators, and approximately 60 inches from the floor on the outside.

8. Architectural: Entrances

Government Code § 1752 - Entrances

When a building contains an entrance other than the main entrance which is ramped or leveled for use by handicapped persons, a sign showing its location shall be posted at or near the main entrance which should be visible from the adjacent public sidewalk or way.

9. Architectural: Exceptions

Health & Safety Code § 19957 - Exceptions

Building departments may grant exceptions from these standards in case of practical difficulty, unnecessary hardship, or extreme differences.

10. Architectural: Playgrounds

Public Resources Code §§5410, 5411 - Playground Equipment

It is a state policy to provide playground equipment usable by both the able-bodied and the physically handicapped, and all public agencies operating playgrounds shall provide that a portion of new equipment purchased is accessible and usable by all persons.

State Mandates, Continued

11. Architectural: SidewalksHealth & Safety Code § 19956.5 - Sidewalks and Curbs

Any curb or sidewalk constructed in this state with private funds must be made accessible to the handicapped.

Vehicle Code § 22522 - Parking Near Sidewalk Access Ramps

No person shall park a vehicle within three feet of any sidewalk access ramp constructed adjacent to a crosswalk so as to be accessible to and usable by the physically handicapped.

Vehicle Code § 21114.5 - Electric Cart Use on Sidewalks

SEE: TRANSPORTATION: Electric Carts

12. Architectural: Tax ExemptionsRevenue & Taxation Code § 24383 - Tax Exemptions for Repairing or Remodeling to Create Access

Business taxpayers are entitled to deductions for repairing or remodeling buildings, facilities or transportation vehicles in order to create access to the elderly and the handicapped.

13. Architectural: Toilet FacilitiesGovernment Code § 7251 - Toilet Facilities

When a state or state governmental subdivision building contains special toilet facilities usable by a person in a wheelchair or otherwise handicapped individual, the location of such facilities shall be posted on the building directory, in the main lobby, or at any entrance specially used by the handicapped.

14. ElectionsElections Code § 14234 - Access by Physically Handicapped

SEE: ELECTIONS: Access

15. Gas and ElectricityPublic Utilities Code § 739 - Gas and Electric Energy Lifeline

SEE: SERVICES: Gas and Electric Energy Lifeline

16. ParkingVehicle Code § 21458(e) - Curb Markings

When parking regulations are indicated by the use of paint upon curbs, blue means parking for vehicles of the physically handicapped.

Vehicle Code § 22507.8 - Prohibited Parking

It is unlawful for any person who is not handicapped to park in a space designated for handicapped persons.

Vehicle Code § 22511.5 - Parking Fee Exemptions

Disabled persons shall be allowed to park for unlimited periods in time-restricted parking zones and in metered parking spaces without being required to pay meter fees. The vehicle must display a distinguishing license plate issued by the Department of Motor Vehicles, or a distinguishing placard to be displayed on the driver's side dashboard.

Vehicle Code § 22511.8 - Removal of Unauthorized Vehicles

The owner of an off-street parking facility may cause the removal of a vehicle from a space designated for the physically handicapped if that vehicle does not display the distinguishing license or placard.

State Mandates, Continued

17. Parking: Veterans

Vehicle Code § 22511 - Veteran's Exemption

Disabled veterans shall be allowed to park in any metered parking space without being required to pay parking meter fees.

Vehicle Code § 22511.7 - Designation of Parking Spaces for Disabled Veterans

Local ordinance may provide for specially designated parking spaces for disabled veterans displaying a distinguishing license or placard.

18. Public Places

Civil Code § 54 - Right to Streets, Highways and Other Public Places

Blind persons, visually handicapped persons, and other physically disabled persons shall have the same right as the able-bodied to the full and free use of the streets, highways, sidewalks, public buildings, public facilities and other public places.

Civil Code § 54.1 - Access to Public Conveyances, Places of Public Accommodations, and Housing Accommodations

Blind persons, visually handicapped persons, deaf persons and other physically disabled persons shall have full and equal access to all public facilities and accommodations, carriers, lodgings, and housing accommodations. Discrimination in housing shall not be allowed on the basis of possession of a guide or service dog.

19. Public Places: Trails

Public Resources Code § 5070.5 - Recreational Trails

It is a state policy to provide recreational trails for the use of physically disabled persons, the elderly and others in need of graduated trails with special safety features.

State Mandates, Continued

B. ASSISTIVE DEVICES/SUPPORT SYSTEMS

1. Aid to Disabled Voters

Elections Code S 14234 - Aid to Disabled Voters
SEE: ELECTIONS: Access by Physically Handicapped

2. Guide and Service Dogs - Public Places

Civil Code SS 54.2, 54.3 - Guide and Service Dogs - Right to Accompany Handicapped and Blind Persons
Handicapped and blind individuals, as well as dog trainers, have the right to be accompanied into public places by guide and service dogs at no extra charge. Any person who interferes with that right is liable for actual damages and attorney fees.

3. Tax Exemptions for Modifying Vehicles

Revenue: Taxation S 6369.4 - Tax Exemptions for Modifying Vehicles to Create Access

Tax exemptions are allowed for gross receipts from the sale, and the storage, use, or other consumption in this state, of items and materials when used to modify a vehicle for the physically handicapped.

4. Warranties

Civil Code SS 1791, 1991.1 - Consumer Warranties for Assistive Devices
Assistive devices (instruments used to assist a physically disabled person in the treatment of an injury or disease or used to replace the structure of any function of the body) shall come with an implied warranty of fitness that they are specifically suited for the special needs of the buyer.

5. White Cane: Failure to Carry

Civil Code S 54.4 - Failure of Blind Pedestrian to Carry a White Cane
The failure of a totally or partially blind person to carry a white cane does not constitute negligence per se.

6. White Cane: Safety Day

Civil Code S 54.5 - White Cane Safety Day
October 15th is proclaimed as White Cane Safety Day. Its significance is to remind citizens of the presence of the disabled and to keep safe and functionally accessible to the disabled all public places. It is the policy of this state to encourage and enable blind persons to participate fully in the social and economic life of the state and to engage in remunerative employment.

Negligence per se means out-and-out negligence; no proof of circumstances required; no argument; usually a violation of a statute.

State Mandates, Continued

7. Zoos and Wild Animal Parks

Civil Code SS 54.7, 55, 55.1 - Access to Zoos and Wild Animal Parks

Zoos not permitting guide dogs shall maintain kennel facilities. Blind persons shall be provided free transportation within the park and shall be provided with sighted escorts. Any person actually or potentially aggrieved by a violation of this provision, or the district or city attorney or the attorney general, may bring on action to enjoin the violation.

8. Interpreters

Evidence Code S 754 - Interpreters for the Deaf

SEE: SERVICES: Interpreters

Welfare and Institutions Code S 19013.5 - Special Language Assistance

SEE: SERVICES: Interpreters

State Mandates, Continued

C. CIVIL RIGHTS

1. Comprehensive State Civil RightsGovernment Code, Article 9.5, SS 11135-11139.5 - Nondiscrimination in State Supported Programs and Activities

These sections were established to effect comprehensive State civil rights regulations that would prohibit discrimination or denial of benefits to persons in the State of California who are under programs or activities that are funded or receive financial assistance from the State. Discrimination and denial of benefits are prohibited on the basis of ethnic group identification, religion, age, sex, or physical or mental disability.

Each State agency that administers a State program and contracts for services in excess of \$100,000 annually, is to ensure nondiscriminatory rules and regulations as is necessary to carry out the intent of these Government Code sections. These statutes, or any regulations adopted, require a State agency to: 1) consider all relevant evidence regarding an alleged violation by its contractor, grantee, or local agency; 2) notify its contractor, grantee, or local agency that it, the State agency, has reasonable cause to believe a violation has or is occurring; 3) institute a hearing to determine whether a violation has occurred; and 4) if it is determined a violation has occurred, take action to curtail State funding in whole or in part to the contractor, grantee, or local agency

2. Remedies for Discrimination ViolationsAdministration Code, Title 22, SS 98000-98413 - Implementation Standards and Guidelines

It is the purpose of this section to mandate the implementation of California Government Code, Article 9.5, SS 11135-11139.5, and to establish standards for determining which people are protected and guidelines for determining what practices are discriminatory.

These regulations require each State agency that administers a program and enters into a contract for services to the public in an aggregate amount exceeding \$100,000 to adopt such additional regulations, as necessary, to carry out the provisions of California Government Code, Article 9.5, SS 11135-11139.5 and these regulations, and to submit same to the Secretary of Health and Welfare Agency. State agencies not required to adopt regulations shall follow policies and practices in accordance with the Government Code Sections and Health and Welfare Agency regulations.

S 98002 - Private Right of Actions

Except as provided in Section 98003, nothing in this Division shall be construed to preclude or restrict a person from judicially enforcing rights occurring under this Division.

S 98003 - Exhaustion of Administrative Remedies

Exhaustion of administrative remedies available under this Division or implementing regulations shall not be a prerequisite to the bringing of actions for judicial enforcement of violations or implementing regulations if a showing is made that the state agency involved has not adhered to the time limit set forth in Section 98346.

State Mandates, Continued

2. Remedies for Discrimination Violations (Continued)S 98110 - Mandatory Remedial Action

If the responsible State agency finds a recipient has violated this Division or other implementing regulation, the recipient shall take such remedial action as the responsible State agency deems necessary to overcome the effects of such violation.

S 98111 - Permissive Remedial Action

A State agency may, where necessary to overcome the effects of discrimination in violation of this Division, require a recipient to take remedial action with respect to persons who are no longer participants in the program but who were participants in the program when the discrimination occurred; or, may require a recipient to take remedial action with respect to persons who would have been participants in the program had the discrimination not occurred. Even in the absence of a finding of discrimination, a recipient may be permitted by a State agency to take voluntary steps in addition to any action that is required by this Division to overcome the effects of conditions that resulted in limited participation in the program by persons of a particular ethnic group identification, religion, sex, color, or with a physical or mental disability.

S 98342 - Compilation of Evidence

Whenever a State agency has, upon the basis of a complaint or of information obtained during a compliance review, or otherwise has reasonable cause to believe that a recipient has violated this Division, such State agency shall compile all relevant evidence to enable it to determine whether there is probable cause to believe that a violation has occurred.

S 98343 - Who May File A Complaint

State agencies should permit any person or interested third party to file a complaint.

S 98344 - Time Period for Filing A Complaint

State agencies should require that no complaint may be filed after the expiration of one year from the date upon which the alleged violation occurred except that this period should be extended up to an additional 90 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of one year from the date of its alleged occurrence.

S 98346 - Compilation of Evidence Time Period

The time period for compiling all relevant evidence should not exceed 180 days from the date of the receipt of the complaint or other notice of a possible violation of this Division.

S 98347 - Resolution of Possible Violations Prior to Hearing

During the period permitted for the compilation of all relevant evidence, the State agency should seek to informally resolve the possible violation. Any such resolution may, if the State agency determines that the substantial nature of the matters involved, the scope of the problems presented, or the probability that the facts which gave rise to the matter will recur; be set forth in a written conciliation agreement which the complainant has had an opportunity to review at least 20 days prior to the execution of such agreement by the parties.

S 98348 - State Agency Action Upon Compilation of Evidence

As soon as possible, but no later than 7 days after the expiration of the 180 days evidence compilation period, a State agency should, where the possible violation has not been informally resolved:

(a) file an accusation on the basis of a finding that there is probable cause to believe that a violation has occurred, and that the matter has not been resolved.

State Mandates, Continued

2. Remedies for Discrimination Violations (Continued)S 98360 - Hearings

The accusation shall initiate the hearing process.

S 98361 - Parties to A Hearing

The State agency and the recipient should be parties to a hearing.

S 98364 - Expedited Hearings

Each State agency should establish procedures for expedited hearings where, in the discretion of the State agency, prompt hearings are needed. The time period for expedited hearings should not exceed thirty days from the date the accusation is filed. The decision should be issued within 30 days. Appropriate circumstances for such hearings may include:

- (a) instances where the issues are not complex,
- (b) instances where benefits, services, or other opportunities for persons of a particular ethnic group identification, religion, sex, color, or with a physical or mental disability would be lost due to discriminatory practices pending a hearing,
- (c) instances where administrative resources would be wasted if a prolonged hearing were held.

S 98365 - Relief Pending Hearing

When a state Agency determines that persons of a particular ethnic group identification, religion, age, sex, color, or with a physical or mental disability will undergo substantial harm during the period of time required to complete a hearing, the matter should be immediately referred to the Attorney General or the State agency's own legal counsel to seek a temporary restraining order or a preliminary injunction pending the outcome of the administrative hearing.

S 98370 - State Agency Enforcement Powers

Upon determination by a State agency that a recipient has violated this Division the State agency, in addition to remedies provided by other laws, shall take one or more of the following actions to ensure compliance:

- (a) termination of all or part of the recipient's State support
- (b) suspension of all or part of the recipient's State support
- (c) debarment from future State support for a specified period of time or until specified remedial actions are taken by the recipient
- (d) probationary eligibility for future State support, or making future State support conditional upon compliance with specified conditions.
- (e) placing conditions upon the continuation of present State support
- (f) referral of the case to the Attorney General's Office or other appropriate law enforcement entities for any judicial relief

3. Handicapped ParentsWelfare & Institutions Code S 300 - Jurisdiction of the Juvenile Courts

No parent shall be found to be incapable of exercising proper and effective parental care or control solely because of a physical disability, including but not limited to, a defect in the visual or auditory functions of his or her body, unless the court finds that the disability prevents parents from exercising such care or control.

4. Jury CompetencyCode of Civil Procedure S 198 - Competency

No person shall be judged incompetent to sit on a jury solely because of loss of hearing, sight, or mobility.

State Mandates, Continued

D. CRIMINOLOGY

1. Crimes Against the HandicappedPenal Code S 1203.09 - Denial of Probation

No probation or suspended sentence will be allowed for anyone who commits murder, robbery, assault, kidnapping, rape, or burglary against the aged, blind persons, quadriplegics, or paraplegics.

State Mandates, Continued

E. EDUCATION

1. AdultsEducation Code S 52570 - Powers of Governing Board and County Superintendent

The governing board of any school district shall have the power to establish special classes for adults designed to serve the educational needs of handicapped adults. Classes in civic, vocational, literary, homemaking, technical, and general education shall be provided.

Education Code S 52571 - Public School or Nonprofit Organization Facility

Special classes for handicapped adults may be conducted under the direction of the governing board of the school district in workshop and training facilities provided by nonprofit organizations, or in public school facilities. Such facilities may include those where part-time paid work education and training is conducted and where less than the state minimum wage is paid.

Education Code S 52572 - Contracts with Adjacent School Districts

The governing board of any school district or the county superintendent of schools authorized to establish special classes designed to serve the educational needs of handicapped adults may contract for the providing of such classes by any adjacent high school district or unified school district, subject to the approval of the Superintendent of Public Instruction.

Education Code S 78440 - Powers of Community College District Governing Board

The governing board of any community college district shall have the power, with the approval of the Chancellor's Office of the Community Colleges, to establish special classes to serve the educational needs of the handicapped.

Education Code S 78442 - Contracts with Adjacent School Districts

SEE: Education Code S 52572 (Above)

2. Adults: TransportationEducation Code S 1270 - School Bus Use for School Activities

The county superintendents of schools may use school buses to transport adults attending special classes for adults designed to serve the educational needs of the handicapped to and from school athletic contests, other school activities, or fairs and expositions.

State Mandates, Continued

3. Special Education: GeneralEducation Code S 56000 - Legislative Intent

It is the Legislature's intent to unify and improve special education programs under the design of the Master Plan for Special Education, and that individuals with exceptional needs have a right to free appropriate special education.

Education Code S 56001 - Provisions of Special Education Programs

All special education programs must provide that:

1. Each individual with exceptional needs is assured an education
2. Early education opportunities are available to children between 3 and 4 3/4 years of age
3. Education opportunities will be provided to children under 3 years if intensive special education is required
4. Each shall have a written individualized education program
5. Programs are provided under approved local plans
6. Special education students will be placed in classes with other students where possible
7. Individuals will be transferred out of special programs when special education is no longer necessary
8. Use of labels is avoided
9. Racial, sexual, and cultural discrimination is avoided
10. Educational programs are coordinated with other public and private agencies
11. Psychological and health services are available
12. Continuous evaluation of programs is provided
13. Appropriately qualified staff and educational personnel are provided.

Education Code S 56040 - Costs to the Pupil

Children with exceptional needs will receive instruction and services at no cost to them or their parents.

4. Identification and ReferralEducation Code S 56301 - Child-Find System

Each district, special education services region, or county office shall establish written policies and procedures for a continuous child-find system which addresses the relationships among identification, screening, referral, assessment, planning, implementation, and review. Such policies and procedures shall include written notification of all parents of their rights and the procedure for initiating a referral for assessment to identify individuals with exceptional needs.

Education Code S 56302 - Identification and Assessment of Needs

Each district, special education services region, or county office shall provide for the identification and assessment of an individual's exceptional needs, and the planning of an instructional program to best meet the assessed needs.

Education Code S 56303 - Referral

A student shall be referred for special educational instruction and service only after the resources of the regular education have been considered and utilized.

State Mandates, Continued

5. Children: AssessmentEducation Code S 56320 - Assessment of Educational Needs

Educational needs shall be assessed by insuring:

1. Testing and assessment materials are not racially, culturally, or sexually discriminatory
2. Testing and assessment materials are administered in the student's primary language by trained personnel
3. Materials are tailored to assess specific areas of educational need
4. Tests reflect the student's aptitude and achievement level, accurately taking into consideration impaired sensory, manual, or speaking skills
5. No single procedure is used as the sole criterion
6. The student is assessed in all areas related to the suspected disability.

Education Code S 56321 - Parents' Rights in the Development of an Assessment Plan

A proposed assessment plan shall be given to parents in writing within 15 days of the referral for assessment. Parents must approve the assessment procedure.

Education Code S 56322 - Assessment by Multi-disciplinary Personnel

The assessment shall be made by a multi-disciplinary group of persons consistent with federal law and regulations.

Education Code S 56324 - Psychological Assessment

Any psychological assessment of students shall be made in accordance with S 56320 and shall be conducted by a credentialed school psychologist who is trained and prepared to assess cultural and ethnic factors appropriate to the student being assessed.

Education Code S 56327 - Assessment Reports

Assessment reports shall include:

1. Whether the student needs special education
2. The basis for that determination
3. Relevant behavior of the student
4. That behavior's relationship to academic and social functioning
5. Medical findings
6. The effects of environmental, cultural, or economic disadvantage
7. For learning disabilities, reasons why they cannot be corrected without special education.

Education Code S 56329 - Parents' Right to Assessment Report

Parents are entitled to a written notice stating that an individualized education program team conference will be scheduled to discuss the assessment report and that the parents have a right, after seeing the report, to obtain an independent assessment.

Education Code S 56333 - Assessment of Language or Speech Disorder

A student shall be assessed as having a language or speech disorder which makes him or her eligible for special education and related services when he or she demonstrates difficulty understanding or using spoken language to such an extent that it adversely affects his or her education performance and cannot be corrected without special education.

State Mandates, Continued

6. Community Advisory Committee: Duties

Education Code SS 56190-56193 - Community Advisory Committee
Each local plan shall establish a Community Advisory Committee. Terms of appointment to the committee shall be for at least two (2) years. It shall be composed of parents (the majority), the handicapped, teachers, and other school personnel.

Education Code S 56194 - Duties of the Community Advisory Committee

The duties shall include, but not be limited to:

1. Advise the policy and administrative entity regarding the development of a local plan
2. Recommend annual priorities
3. Assist in parent education
4. Encourage community development
5. Provide supportive activities
6. Assist in parent awareness of the importance of regular attendance

SEE ALSO: EDUCATION: Children: Local Plans

7. Early Education

Education Code S 56425 - Early Education Program Requirement
As a condition of receiving state aid, each district, special education services region, or county office that operated early education programs for individuals with exceptional needs younger than three (3) years of age and that received state aid or federal aid for special education in 1980-81, shall continue to operate infant programs in the future.

Education Code S 56426 - Contracts With Private Nonprofit Preschools or Child Development Centers

The Superintendent shall develop procedure and criteria to enable a district special education services region, or county office to contract with private nonprofit preschools or child development centers to provide special education and related services to infant and preschool-age individuals with exceptional needs. The criteria shall include minimum standards which must be met by the private, nonprofit preschool or center.

8. Evaluation of Programs

Education Code SS 56600-56605 - Ongoing Comprehensive Evaluation
It is the intent of the Legislature to provide for ongoing comprehensive evaluation of special education programs. The evaluation of these programs shall be designed to provide the Legislature, the State Board of Education, the Department of Education, and program administrators with the information necessary to refine and improve policies, regulations, guidelines, and procedures on a continuing basis, and to assess the overall merits of these efforts.

Education Code S 56606 - Onsite Program and Fiscal Reviews

The superintendent shall provide for onsite program and fiscal reviews of the implementation of plans. In performing such reviews and audits, the superintendent may utilize the services of persons outside of the department chosen for their knowledge of special education programs. Each district, services region, and county office shall be reviewed at least once during the periods of approval of its local plan.

Education Code S 56607.5 - Study Contract for Identification and Misdiagnosis

The State Department of Education shall contract for a study to examine the process of identifying individuals with exceptional needs to determine the extent of misdiagnosis of individuals with perceptual problems resulting in the placement of those individuals in special education classes.

State Mandates, Continued

9. Facilities/Supplies

Education Code S 56820 - Design and Location of New Facilities

Any facilities constructed or leased for individuals with exceptional needs shall be designed and, if possible, located to achieve maximum possible interaction between individuals with exceptional needs and other people.

Education Code S 56822 - Special Supplies and Equipment

Sound recordings, large type and braille books purchased, instructional materials transcribed from regular print into special media, and special supplies and equipment purchased for individuals with exceptional needs for which state and federal funds were allowed are property of the state and shall be available for use by individuals with exceptional needs throughout the state as the Board shall provide.

10. Funding

Education Code S 56475 - Fiscal Responsibilities

The Superintendent and directors of the State Department of Health Services, the State Department of Mental Health, the State Department of Developmental Services, the State Department of Social Services, the Department of Rehabilitation, the Department of the Youth Authority, and the Employment Development Department shall develop written interagency agreements which include fiscal responsibilities for the provision of special education and related services to individuals with exceptional needs.

Education Code S 56701 - Instructional Personnel Services

The Superintendent shall apportion funds for instructional personnel services, support services, and transportation services from Section A of the State School Fund directly to the districts and county offices.
(SEE ALSO: Education Code SS. 56720-56728)

Education Code S 56702 - Regionalized Services

The Superintendent shall apportion funds for regionalized services from Section A of the State School Fund to the administrative entity specified in the local plan to receive and distribute such funds.
(SEE ALSO: Education Code SS. 56730-56738)

Education Code S 56740 - Apportionment to Districts

The Superintendent shall apportion to each district and county office 70% of the costs of tuition in excess of the revenue limit and applicable federal funds for students enrolled in nonpublic, nonsectarian schools.

Education Code SS 56711-12 - Computation of State Aid

The county superintendent shall total for each district the instructional personnel services amount, the support services amount, and the amount for students in nonpublic, nonsectarian schools and then subtract the following: federal funds received, the difference between fund limits and funds actually spent in a prior fiscal year, property taxes, district revenue limit amounts and the local general fund contribution. The amount computed shall be apportioned as state aid.

State Mandates, Continued

10. Funding (Continued)

Education Code S 56721 - Total Local General Fund Contribution

The county superintendent shall compute an adjusted local general fund contribution amount for each district by subtracting the amount computed pursuant to subdivision from:

(a) The sum of the district's state aid apportionment for special education, applicable federal funds, revenue limits for students in special classes and centers, and tuition earned by the district from operating special education programs for other districts and county offices, exclusive of such revenue earned for providing special transportation, contracting for nonpublic, nonsectarian school services, and earned on account of pregnant minors programs and programs to provide instruction in the home or hospital for students with temporary physical disabilities.

(b) The district's total reported cost of operating special education programs and services exclusive of the costs of providing special transportation, contracting for nonpublic, nonsectarian school services, and providing pregnant minors programs and instruction in the home or hospital for students with temporary physical disabilities.

The amount included in total cost of special education for indirect support costs shall not exceed four percent of the sum of direct costs plus direct support costs.

Education Code S 56829 - Balance of State Aid Exceeding Claims

Each fiscal year, if the total amount of state aid for special education claimed by districts and county offices is less than the amount appropriate for those claims, the balance may be used by the Superintendent of Public Instruction to reimburse districts and county offices of education whose expenditures for special education programs and services in the current year exceed the sum of the current year revenues from all sources, including state and federal aid for special education district revenue limits for special day classes and centers, county taxes for special education, and an amount equal to the previous year's local general fund contribution.

Education Code SS 56875-56885 - Joint Funding For Education of Handicapped Children Act of 1980

It is the intent of the Legislature to provide local educational agencies with maximum flexibility to secure and utilize all available state and federal funds so as to enable such agencies to meet the needs of individual with exceptional needs effectively and efficiently. It is also the intent of the Legislature to provide maximum federal funding to local educational agencies for the provision of education and related services to individuals with exceptional needs.

11. Individualized Education Programs

Education Code S 56341 - Individualized Education Program Team

Meetings to develop and review individualized education programs will be conducted by teams consisting of a program specialist, the student's teacher the student's parents, and someone qualified to interpret the assessment report.

Education Code S 56342 - Duties of Individualized Education Program Team

The individualized education program team shall review the assessment results, determine eligibility, determine the content of the individualized education program, and make program placement recommendations.

Education Code S 56345 - Contents of Individualized Education Program

Individualized education programs are a written statement which shall include:

- 1) The present level of educational performance
- 2) Annual goals
- 3) Specific educational instruction required
- 4) Extent of participation in regular educational programs
- 5) Duration of the program
- 6) Evaluation procedures

State Mandates, Continued

11. Individualized Education Program (Continued)Education Code S 56346 - Parental Notice of the Program

No student shall be required to participate in all or part of any special education program unless the parents are first informed, in writing, of the facts which make participation in the program necessary or desirable, and of the contents of the individualized education plan; and after such notice, consent in writing to all or part of the program.

Education Code S 56380 - Review of Individualized Education Programs

The district, special education services region, or county office shall maintain procedures for conducting, on at least an annual basis, reviews of all individualized education programs. The procedures shall provide for the review of the student's progress and the appropriateness of placement, and the making of any necessary revisions.

12. Individualized Education Programs: Designated InstructionEducation Code S 56363 - Designated Instruction and Services

Designated instruction and services shall be available. Such instruction and services shall be provided by the regular class teacher, the special class teacher or the resource specialist if competent to provide such instruction and services, and if feasible.

13. Individualized Education Programs: Nonpublic SchoolsEducation Code S 56365 - Nonpublic, Nonsectarian School Services

Nonpublic, nonsectarian school services, including services by nonpublic, nonsectarian agencies shall be available. Such services shall be provided under contract with the district, special education services region, or the county office to provide the appropriate special educational facilities or services required by the individual with exceptional needs when no appropriate public education program is available.

Education Code S 56366 - Nonpublic, Nonsectarian Schools

It is the intent of the Legislature that the role of nonpublic, nonsectarian schools shall be maintained and continued as an alternative special education service available to districts, special education services regions, county offices and parents. Arrangements shall be confirmed by contract.

14. Individualized Education Programs: Special ClassesEducation Code S 56364 - Special Classes and Centers

Special classes and centers which enroll students with similar and more intensive educational needs shall be available. Classes and centers shall enroll students when the nature or severity of the disability precludes participation in a regular school program.

15. Juvenile Court SchoolsEducation Code S 56150 - Juvenile Court Schools

Special education programs shall be provided for individuals with exceptional needs who have been adjudicated by the juvenile court for placement in a juvenile hall or juvenile home, day care center, ranch or camp.

State Mandates, Continued

16. Licensed Children's InstitutionsEducation Code S 56156 - Licensed Children's Institution

Each court, center for the developmentally disabled, or public agency which refers or places children in licensed children's institutions -- residential facilities licensed to provide nonmedical care to children -- must report to the special education administration of the district the identification and referral of any child eligible for special education. The county office shall maintain a current list of licensed children's institutions located within the county.

Education Code S 56156.5 - Responsibility for Providing Appropriate Education

Each district, special education services region, or county office shall be responsible for providing appropriate education to individuals with exceptional needs residing in licensed children's institutions and foster homes located in the geographical area covered by the local plan.

Education Code S 56157 - Services in Programs Operated by Public Education Agencies

In providing appropriate programs to individuals with exceptional needs residing in licensed children's institutions or foster homes, services in programs operated by public education agencies shall first be considered. If such programs are inappropriate, services shall be provided by contract with a nonpublic, nonsectarian school.

17. Local PlansEducation Code S 56170 - School District - Election of Local Plan

School districts shall either submit their own local plans, submit a local plan in conjunction with other districts, or join with the county office in submitting a local plan.

Education Code S 56172 - Authority of County Officer and District Governing Board

Each county office and district governing board shall have authority over the programs it directly maintains. They may provide for the special education of students in programs maintained by other districts or counties.

Education Code S 56200 - Contents of Local Plans

Each local plan shall contain:

- 1) Compliance assurance
- 2) Description of services to be provided
- 3) Description of governance and administration of the plan
- 4) Copies of contractual agreements where applicable
- 5) Annual budget
- 6) Verification that the plan has been reviewed by the community advisory committee

Education Code S 56220 - Written Agreements Entered Into by Entities Participating in the Plan

When written agreements are entered into by entities participating in the plan, they will contain:

- 1) A coordinated identification, referral, and placement system
- 2) Procedural safeguards
- 3) Regionalized services to local programs
- 4) Description of the process for coordinating services and providing services

Education Code S 56222 - Cooperative Development and Update

The plan for special education shall be developed and updated cooperatively by a committee of representatives of special and regular teachers and administrators selected by the groups they represent, and with input from the community advisory committee, to insure adequate and effective participation and communication.

State Mandates, Continued

18. Procedural Safeguards

Education Code S 56500.1 - Safeguards of Education for All Handicapped Children Act of 1975

All procedural safeguards of the Education for All Handicapped Children Act of 1975 shall be established and maintained by all agencies that provide education, related services or both to children with exceptional needs.

Education Code S 56501 - Due Process Hearing

Due process hearings may be initiated by the student, the parent, or the agency involved when there is a proposal to initiate or change the identification, assessment or placement of the child or when there is a refusal to do so. Due process rights include: a mediation conference, examination of student records, an impartial open state administrative hearing, and the right to have students present at all of the above.

19. Public Hospitals

Education Code S 56167 - Educational Responsibility of Public Hospitals

Individuals with exceptional needs who are placed in a public hospital, state licensed children's hospital, proprietary hospital, or medical facility for other than educational purposes are the educational responsibility of the district, region, or county office in which the hospital is located.

20. School for the Blind: Administration

Education Code S 59101 - Purpose

The California School for the Blind is a part of the public school system of the state except that it derives no revenue from the State School Fund, and has for its object the education of the visually handicapped and deaf-blind, who, because of their severe sensory loss and educational needs, cannot be provided an appropriate education program and related services in regular public schools.

21. School for the Blind: Services

Education Code S 59140 - Kindergarten Service

The Department of Education, in connection with the School for the Blind, may establish and maintain a preschool and kindergarten for the care and teaching of children under school age.

Education Code S 59142 - Vocational Training

The Department of Education shall adopt measures and prescribe rules for the giving of vocational training to the students at the school in order that they may be equipped upon their graduation to engage in occupation or industries by which they may become self-supporting.

State Mandates, Continued

22. School for the Blind: StudentsEducation Code S 59120 - Eligibility

Every blind resident of this state of suitable age and capacity is entitled to an education in the California School for the Blind free of charge.

Education Code S 59123 - Maintenance of Students

All students in the school shall be maintained at the expense of the state.

Education Code S 59124 - Payment of Transportation Costs - Day Classes

The governing board of each school district of residence shall, from the general fund of the school district, pay for the transportation costs of each pupil of the district in attendance as a day-class pupil.

Education Code S 59124.5 - Payment of Transportation Costs - Five-Day

The Superintendent of Public Instruction shall allow to the California School for the Blind, an amount not to exceed \$389.00 per fiscal year per unit of average daily attendance of each student attending as a five-day residential pupil for the purpose of providing transportation to and from the student's home on weekends and school holidays.

Education Code S 59125 - Inability to Pay Expenses

If the parent or guardian of any student is unable to clothe the child, or pay for transportation to and from school, or for necessary health care while at School, or is unable to reimburse the Department of Education for health care expenses for the child in an emergency, the Superior Court in the county where the parent is a resident may issue a certificate to that effect.

Education Code S 59126 - Payment of Expenses

After a valid certificate is presented to the superintendent of the school, the superintendent shall pay expenses and be reimbursed by the Department of Education.

23. School for the Deaf: AdministrationEducation Code S 59001 - Purpose

The California School for the Deaf is part of the public school system of the state except that it derives no revenue from the State School Fund, and has as its object the education of the deaf, who by reason of severe hearing loss and educational needs, cannot be provided an appropriate educational program and related services in the regular public schools.

Education Code S 59002.5 - Superintendent of Public Instruction - Duties

SEE: EDUCATION: Children: School for the Blind: Administration
Education Code S. 59102.5

Education Code S 59003 - Department of Education - Duties

SEE: EDUCATION: Children: School for the Blind: Administration
Education Code S. 59103

24. School for the Deaf: ServicesEducation Code S 59040 - Kindergarten Service

SEE: EDUCATION: Children: School for the Blind: Services
Education Code S 59140

Education Code S 59041 - Courses of Instruction for Parents

The Department of Education, in connection with the School for the Deaf, may offer courses of instruction to parents of a deaf child to assist and instruct the parents in the early care and training of the child, to train the child to play, and to do everything to assure the child's physical, mental, and social adjustment to its environment.

Education Code S 59042 - Testing Center

The Superintendent of Public Instruction may authorize the School for the Deaf to establish and maintain a testing center for deaf and hard-of-hearing minors.

State Mandates, Continued

25. School for the Deaf: StudentsEducation Code S 59020 - Eligibility

Deaf persons between 5 and 21 who are residents of the State are eligible for enrollment. Priority will be given to students of elementary age residing in sparsely populated regions and secondary age students in need of a high school program for whom educational facilities and services are not available.

Education Code S 59023 - Inability to Pay Expenses

SEE: EDUCATION: Children: School for the Blind: Students
Education Code S 59125

Education Code S 59021 - Payment of Expenses

SEE: EDUCATION: Children: School for the Blind: Students
Education Code S 59126

Education Code S 59029 - Maintenance of Students

SEE: EDUCATION: Children: School for the Blind: Students
Education Code S 59123

Education Code S 59030 - Payment of Transportation Costs - Day-Class

SEE: EDUCATION: Children: School for the Blind: Students
Education Code S 59124

Education Code S 59030.5 - Payment of Transportation Costs - Five-Day

SEE: EDUCATION: Children: School for the Blind: Students
Education Code S 59124.5

26. Schools for the Neurologically Handicapped: AdministrationEducation Code S 59201 - Purpose

The diagnostic schools for neurologically handicapped children are a part of the public school system of the state except that they derive no revenue from the State School Fund, and have as their object diagnosis and the determination of the treatment and educational program of children with neurological handicaps, including autism. These schools provide temporary residence for children who, by reason of their handicaps, need educational diagnosis services not available in regular public school classes.

27. Schools for the Neurologically Handicapped: StudentsEducation Code S 59220 - Eligibility

Every resident of California less than 21 years of age of suitable age and capacity, as determined by means of diagnosis at the diagnostic and treatment schools for neurologically handicapped children, is entitled to enrollment free of charge.

Education Code S 59223 - Payment of Transportation Costs - Five-Day

SEE: EDUCATION: Children: School for the Blind: Students
Education Code S 59124.5

28. Schools for the Neurologically Handicapped: TeachersEducation Code S 59211 - Teacher Training Course

The Superintendent of Public Instruction may, in cooperation with an accredited college or university, authorize the California schools for neurologically handicapped children to establish and maintain teacher training courses designed to prepare teachers to instruct neurologically handicapped children in special classes in the public school system.

State Mandates, Continued

29. Staff Development

Education Code S 56241 - Contents of Staff Development Programs

Staff development programs shall include:

- 1) Opportunities for all school personnel to participate in ongoing development activities pursuant to a systematic identification of student and personal needs.
- 2) Design and implementation by classroom teachers and other school personnel
- 3) Allowance for diversity in development activities
- 4) Scheduling of time which is set aside for development activities
- 5) Evaluation and modification on a continuing basis
- 6) Provision of a budget

Education Code S 56243 - Training of Regular Classroom Teachers

Each district, special education services region, or county office shall ensure that all regular classroom teachers who provide services to individuals with exceptional needs receive the equivalent of at least one day of training each year relating to the needs of such individuals.

30. State Hospitals

Education Code S 56580 - Legislative Intent

The intent of the Legislature is to recognize that individuals with exceptional needs of mandated school age, residing in California's state hospitals for the developmentally disabled and mentally disordered are entitled to the same access to educational programs as is provided for individuals with exceptional needs residing in our communities.

Education Code S 56851 - Interdisciplinary Teams

In developing the individualized program for an individual residing in a state hospital, a state hospital shall include on its interdisciplinary team a representative of the district, special education services region, or county office in which the state hospital is located, and the individual's teacher.

Education Code S 56854 - Interagency Agreements

The Superintendent of Public Instruction and the Directors of the State Departments of Developmental Services and Mental Health shall develop written interagency agreements to carry out the purposes of educating state hospital residents. The agreements shall include guidelines for the calculation of reasonable costs for services in the development of contracts between state hospitals and local public education agencies or nonpublic schools. Such agreements shall be reviewed and updated annually by July 1 of each fiscal year.

Education Code S 56859 - Special Education Credentials

All certified state hospital employees hired to provide educational services to individuals of mandated school age shall possess an appropriate California credential in special education. A state hospital may employ a person as an instruction permit teacher if (s)he has satisfied the requirements relating to such teachers as adopted by the State Board of Education.

31. Substitute Teachers

Education Code S 56060 - Noncredentialed Persons

Noncredentialed persons shall not be allowed to substitute in special education classes.

Education Code S 56061 - Substitutes Holding Valid Credentials

A teacher holding a substitute credential, but not authorized to teach special education full time, may not substitute for more than 40 consecutive days.

State Mandates, Continued

32. Superintendent of Public Instruction: DutiesEducation Code S 56135 - Superintendent of Public Instruction: Duties

The Superintendent of Public Instruction shall:

1. Approve local plans
2. Establish guidelines for the development of local plans.
3. Promote innovation and improvement in the field of special education
4. Monitor the implementation of local plans
5. Encourage maximum practicable involvement of parents
6. Make recommendations in the areas of staff development, curriculum, testing and materials
7. Prepare state plans required for federal funding
8. Maintain special state schools
9. Develop an annual program evaluation plan
10. Apportion funds
11. Provide for mediation conferences
12. Assure educational services for individuals with exceptional needs.

33. DormitoriesEducation Code S 1046 - Dormitories

The county boards of education in any county required to provide for the education and training of handicapped persons residing in the county may construct and maintain dormitories for use and occupancy by such persons, and shall fix the rates to be charged such persons, or parents of such persons, for quarters in the dormitories.

34. ScholarshipsLabor Code S 4709 - Scholarships for Dependents of Police Officers

Any dependent of a police officer or employee of the Department of Corrections or the Youth Authority who is totally disabled in the line of duty is entitled to a scholarship to a school of higher education in California.

35. Vocational EducationEducation Code S 56450 - Information Relating to Exemplary Education

Information shall be disseminated to districts, service regions, and county offices and updated annually by the superintendent. That information shall include: descriptions of effective methods for coordinating career and vocational educational services in secondary schools, Regional Occupational Centers, community colleges, sheltered workshops and programs under the Rehabilitation Act of 1973.

Education Code S 56451 - Encouragement of Coordination of Vocational Educational Services

The Board shall, through the use of discretionary federal funds, encourage districts, special education services regions, and county offices to develop programs that coordinate career and vocational education services for individuals with exceptional needs.

36. Property UseEducation Code S 8769 - Use of Property Not Required for Conservation Programs

The county superintendents of schools may, with the approval of the county board of education, lease any real or personal property for the purpose of care, teaching, and training of physically handicapped or mentally retarded children at such time as the property is not required for outdoor science education.

State Mandates, Continued

37. Teaching CreditEducation Code S 22902 - Teaching Credit

Teaching credit may be received for service performed in a teaching position in the California School for the Deaf or the California School for the Blind, or in special classes maintained by the public schools of this state for the instruction of the deaf, the hard-of-hearing, the blind, or the semi-sighted.

38. Mentally Ill Minors Aftercare PlanWelfare & Institutions Code S 5020.1 - Mentally Ill Minors

SEE: Services: Mentally Ill Minors Aftercare Plan

State Mandates, Continued

F. ELECTIONS

1. Access by Physically HandicappedElections Code S 14234 - Aid to Disabled Voters

If a voter declares under oath at the polling place that he is unable to mark a ballot, he may be assisted by not more than two persons he selects. If a polling place is not physically accessible to a handicapped individual, he may vote outside the polling place. If impractical, absentee ballots shall be provided.

2. Inability to Go to the PollsElections Code S 1017 - Inability of Voters to Go to the Polls After Final Day for Applying for Absentee Ballots

After the close of the period for requesting absentee ballots, if an individual is unable to go to the polls because of a physical handicap, he may request that a ballot be delivered to him by an elections official, on which he shall vote, and which he shall return personally to the official or his representative.

State Mandates, Continued

G. EMPLOYMENT

1. Business: Loans and Grants

Corporation S 14024 - Loans by Small Business Development Board
SEE: FUNDING: Business: Loans and Grants

2. Business Opportunities for the Severely Handicapped

Welfare & Institutions SS 19625-19652 - Business Enterprises for the Blind

For the purposes of providing blind people remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self-supporting, blind persons licensed under this article shall be authorized to operate vending facilities on any property within the state as authorized by this article.

Welfare & Institutions S 19725 - State-owned Business Facilities

In order to provide self-employment opportunities for the severely handicapped, the Department of Rehabilitation may enter into written agreements with political subdivisions of the state to provide for the installation and operation of business facilities on property owned or occupied by the various subdivisions.

3. Discrimination

Government Code, Title 2, S 12940 - Unlawful Employment Practices

It is an unlawful employment practice for an employer to discriminate in hiring, training, discharging, or terms of employment of a qualified individual based on that individual's physical handicap. It is also unlawful for a labor organization to discriminate in terms of membership policies on the basis of physical handicaps. Publications advertising employment which express discriminatory policies are prohibited.

Administrative Code, Title 2 (Administration), S 7293.7 - Employment Discrimination

Employment discrimination based on physical handicap is prohibited. Such discrimination is established by showing that an employment practice denies in whole or in part an employment benefit to a qualified handicapped individual and the employment benefit was denied because of the individual's physical handicap.

Administrative Code, Title 2 (Administration), S 7294.0 - Pre-employment Practices

In all recruitment, application, and interview procedures, individuals with physical handicaps must be considered on an equal basis with other individuals.

Administrative Code, Title 2 (Administration), S 7294.1 - Employee Selection

No discrimination is allowed in employee selection on the basis that a reasonable accommodation will have to be made. Pre-employment tests given to potential employees may not be designed so that the results are discriminatory. Tests of physical strength or agility are only allowed if directly related to job performance. Test sites must be accessible to handicapped applicants, and support systems/individuals (for example, interpreters) are allowed to accompany the applicant.

Labor Code S 1735 - Discrimination

No discrimination is allowed in employment of persons in public works because of physical handicaps.

State Mandates, Continued

4. Reasonable Accommodation

Administrative Code, Title 2 (Administration) S 7293.9 - Reasonable Accommodation

Employers shall make reasonable accommodation to the physical handicap of any individual employee if the employer knows of the physical handicap, and if the accommodation does not cause undue hardship. Examples of reasonable accommodation are accessibility and job restructuring. No accommodation shall be imposed which requires an employer to alter its premises beyond safety requirements applicable to other employees. Applicable accessibility standards are those set down in Government Code SS 4450 et. seq., and Health & Safety Code SS 19955 et. seq.

5. General Policy for Government Employees

Government Code S 19230 - State Policy

SEE: GOVERNMENT EMPLOYEES: General Policy

Government Code S 19232 - Affirmative Action

SEE: GOVERNMENT EMPLOYEES: General Policy

Government Code S 19233 - State Personnel Board

SEE: GOVERNMENT EMPLOYEES: General Policy

Government Code S 19235 - Advisory Committee

SEE: GOVERNMENT EMPLOYEES: General Policy

6. Manpower Programs/Policy

Unemployment Insurance Code S 9003 - Manpower Programs

Handicapped clients of the Department of Rehabilitation shall not be barred as participants in Manpower Programs including training programs, work incentive programs, job training and placement programs and vocational education programs because of their mental or physical disabilities.

7. Minimum Wage

Labor Code S 1191 - Special Licenses

At minimum wage occupations, the Labor Commissioner may issue to a handicapped employee a license authorizing employment for less than minimum wage.

8. Workshops for the Handicapped

Welfare & Institutions S 19403 - Purchase by Governmental Units from Workshops for the Handicapped

Governmental units shall be encouraged to purchase products and services provided by California corporations operating workshops serving the handicapped where feasible.

Welfare & Institutions S 19404 - Purchase Without Bids

Any political subdivision of the state may without advertising or calling for bids purchase materials and supplies manufactured and services provided by nonprofit California corporations operating workshops serving the handicapped, and on an equitable basis apportion the business among the interested workshops, provided such goods and services meet the specifications and needs of the purchasing agency and are purchased at a fair market price.

State Mandates, Continued

H. FUNDING

1. Business: Loans and GrantsCorporations S 14024 - Loans by Small Business Development Board

There shall be no discrimination in loans made by the Small Business Development Board of the Department of Economic and Business Development of the Business and Transportation Agency based on physical handicaps.

2. Care Facilities: Loans and GrantsHealth & Safety Code SS 436.40-436.44 - Small Facilities Loan Guarantee for Developmental Disability Programs

In order to assist developmentally disabled clients of the Department of Rehabilitation who are living in institutional settings to move to more independent living arrangements, loans sought from private sources for the construction of single community-based facilities for six or fewer developmentally disabled persons shall be fully guaranteed by the state up to \$300,000.00

Constitution, Article 16, Section 3 - Public Money for Aid to Private Institutions

The Legislature shall have the power to grant aid to institutions conducted for support and maintenance of children of permanently disabled fathers incapacitated for gainful work, to needy blind persons not inmates of state institutions, and to needy physically handicapped not inmates of state institutions.

3. Recreational Programs: Loans and GrantsPublic Resources Code S 5627 - Recreational Programs for the Handicapped

Two percent of need basis and block grant money appropriated by Item 222 of the 1980 Budget Act and any subsequent act may be expended by the recipient for innovative recreational programs for the handicapped, and up to 23 percent of such money may be expended for operation and maintenance of recreational lands for innovative recreational purposes. Grants to cities, counties, and districts shall be on the basis of 75 percent state money and 25 percent local matching money.

4. Transportation: Loans and GrantsWelfare & Institutions 19460 - Rehabilitation Revolving Loan Guarantee Fund

SEE: TRANSPORTATION: Funding: Loans and Grants

Government Code S 14033 - Transportation Grants

The Department of Transportation may coordinate applications or may act as an applicant for grants of funds to provide mass transit service to meet the special needs of the elderly and handicapped persons.

State Mandates, Continued

5. Tax ExemptionsRevenue & Taxation Code S 214 - Exemptions

Property used exclusively for religious, hospital, scientific, or charitable purposes owned and operated by community chests, funds, foundations or corporations organized and operated for those purposes is exempt from taxation. Property used exclusively for elderly or handicapped families and financed by the federal government and owned and operated by religious, hospital, scientific or charitable funds, foundations, or corporations meeting all of the requirements of this provision shall be deemed to be within the exemption.

Revenue & Taxation S 6369.4 - Tax Exemptions for Modifying Vehicles to Create Access

SEE: ACCESS: Transportation: Tax Exemptions

Revenue & Taxation S 24383 - Tax Exemptions for Repairing and Remodeling to Create Access

SEE: ACCESS: Architectural: Tax Exemptions

State Mandates, Continued

I. GOVERNMENT EMPLOYEES

1. Affirmative Action in California State EmploymentGovernment Code S 19230 - State Policy

It is state policy that disabled persons be employed in state services.

Government Code S 19232 - Affirmative Action

Each state agency is responsible for establishing an effective affirmative action program for the disabled.

Government Code S 19233 - State Personnel Board

The State Personnel Board is responsible for outlining specific actions to improve the representation of disabled persons in the state work force, for developing goals and timetables, and for establishing guidelines for state agencies to set goals and timetables to improve representation of the disabled.

Government Code S 19235 - Advisory Committee

Each state agency shall establish a committee of disabled employees to advise the head of the agency on matters relating to the implementation and formulation of the plan to overcome and correct any underrepresentation.

2. Coercion by Government EmployeesGovernment Code S 8313 - Coercion of Aged, Blind, or Disabled Persons

No officer or employee of this state or any county, city and county, city or district who is concerned with the administration of any program for the aged, blind, or disabled shall, in his official capacity, attempt to coerce or coerce any aged, blind, or disabled person to join or refrain from joining any organization of the aged, blind, or disabled.

3. InjuriesGovernment Code S 18301 - Workers Compensation for Firemen

Any state fireman disabled in the line of duty shall be accorded by his employer all of the same benefits of the Workmen's Compensation Law.

Labor Code S 6200 - Referral of Injured Full-Time Public Employees

Every public agency must formulate procedures for referral of injured full-time public employees who may be benefited by rehabilitation services and retrained for other positions in public service. The purpose of this division is to encourage public agencies to reemploy their injured employees in suitable and gainful employment.

Labor Code S 6203 - Subsistence Allowances for Referred Public Employees

If a referral plan requires an injured employee to attend an educational or medical facility away from home, he shall be paid a reasonable and necessary subsistence allowance in addition to temporary disability indemnities.

State Mandates, Continued

4. Electric Carts

Vehicle Code S 2114.5 - Electric Carts on Sidewalks

SEE: TRANSPORTATION: Electric Carts

5. California Industries for the Blind

Unemployment Insurance S 605.5 - California Industries
for the Blind

The Department of Rehabilitation shall be considered the employer of blind and otherwise handicapped individuals who do not hold civil service or permanent tenure positions in connection with their employment by the State of California for work in the California Industries for the Blind.

6. Teaching Credit

Education Code S 22902 - Teaching Credit

SEE: EDUCATION: Teaching Credit

7. Discrimination

Labor Code S 1735 - Discrimination

SEE: EMPLOYMENT: Discrimination

State Mandates, Continued

J. HEALTH AND SAFETY

1. Protective ServicesWelfare & Institutions Code S 10001 - Purposes of Public Social Service

One of the purposes of public social service for which state grants-in-aid are made to counties is to provide protective services to handicapped or deprived persons subject to social or legal disability, and to children and others subject to exploitation jeopardizing their present or future health, opportunity for normal development, or capacity for independence.

2. Health Care: ChildrenHealth & Safety Code S 249 - Services for Physically Defective or Handicapped Minors

The State Department of Health Services shall establish and administer a program of services for physically defective or handicapped persons under the age of 21 years, in cooperation with the federal government through its appropriate agency for the purpose of developing, extending and improving such services. The State Department shall receive all funds made available to it by the federal government, the state, its political subdivisions or from other sources and shall have the power to supervise those services included in the state plan which are not directly administered by the state. The Department shall cooperate with the medical, health, nursing, and welfare groups and organizations concerned with the program, and any agency of the state charged with the administration of laws providing for vocational rehabilitation of physically handicapped children.

3. Health Care: EligibilityWelfare & Institutions Code S 14005.3 - Eligible if Disabled Although Engaged in Substantial Gainful Activity

Even though a physically or mentally disabled person has become ineligible for Social Security benefits because engaged in gainful work activity, he shall still be considered disabled for the purposes of receiving health care benefits and services as long as his or her income does not exceed the maximum income eligibility limits under the Social Security Act.

4. Health Care: Genetic DiseaseHealth & Safety Code S 309 - Detection of Preventable Heritable Disorders

The State Department of Health Services shall establish a genetic disease unit which shall promote a Statewide program of testing information and counseling services to detect as early as possible preventable heritable disorders leading to mental retardation or physical defects. Tests shall be administered to each child born in California unless the child's parents object on religious grounds. Fees shall be charged for these tests to meet administrative costs. The genetic disease unit is authorized to make grants or contracts for projects to determine the desirability and feasibility of additional tests and services.

State Mandates, Continued

Health & Safety Code SS 341-348 - Genetically Handicapped Program

The State Director of Health Care shall establish and administer a program for the medical care of genetically handicapped persons through physicians and centers qualified under the State Department of Health Services to provide medical services. Reimbursements by the state shall not be made for services which are available to the recipient under any other private, state, or federal programs. However, there shall be no limitation of state participation in any federal governmental program for medical care of genetically handicapped persons. Financial eligibility for treatment shall be determined by counties using uniform standards.

Insurance Code S 11512.8 - Prenatal Diagnosis of Genetic Disorders

SEE: SERVICES: Insurance: Health Insurance: Genetic Disorders

5. Health Care: Health Facilities: ZoningWelfare & Institutions Code S 5120 - Care and Treatment of Patients in Local Community - Zoning

Health Facilities for inpatient and outpatient psychiatric care and treatment shall be permitted in any area zoned for hospitals or nursing homes, or in which hospitals and nursing homes are permitted by conditional use permit.

6. InjuriesGovernment Code S 18301 - Workers Compensation for Firemen

SEE: GOVERNMENT EMPLOYEES: Injuries

Labor Code S 6200 - Referral of Injured Full-Time Public Employees

SEE: GOVERNMENT EMPLOYEES: Injuries

Labor Code S 6203 - Subsistence Allowances for Referred Public Employees

SEE: GOVERNMENT EMPLOYEES: Injuries

State Mandates, Continued

K. HOUSING

1. Access

Civil Code S 54.1 - Access to Public Conveyances, Places of Public Accommodation, and Housing Accommodations
 SEE: ACCESS: Public Places

2. General Policy

Health & Safety Code S 50688 - Legislative Findings
 The Legislature finds and declares that proper housing serves as a stabilizing factor and is an important facet of any program designed to rehabilitate mentally disordered, developmentally disabled, and physically disabled persons and that the disruption of continued occupancy in a dwelling could cause a setback in treatment in particular cases. It is the intent of the Legislature that persons who have received housing under a program established pursuant to this part shall be allowed to continue to occupy their dwelling after termination of participation in a public program of rehabilitation, education, or social services if the persons meet the criteria established by federal regulations governing low-rent housing programs.

Health & Safety Code S 50689 - Independent Living
 It is the intent of the Legislature to provide housing assistance for the developmentally or physically disabled, and mentally disordered where such assistance is for the purpose of providing a transition from an institution to an independent setting and where such assistance is administered in the context of ongoing local programs leading to rehabilitation and independence.

Welfare & Institutions Code S 5115 - State Policy
 It is state policy that mentally and physically handicapped persons are entitled to live in normal residential surroundings and should not be excluded therefrom because of their disability.

3. Funding

Health & Safety Code S 436.40-436.44 - Small Facilities Loan Guarantee for Developmental Disability Programs
 SEE: FUNDING: Care Facilities: Loans and Grants

Health & Safety Code S 50670 - Demonstration Housing Rehabilitation Program for Elderly and Handicapped
 The Department of Housing shall establish a Demonstration Housing Rehabilitation Program for the Elderly and Handicapped under which it may make deferred payment loans to sponsors for the rehabilitation or the acquisition and rehabilitation of rental housing developments to be occupied by elderly or handicapped households of very low and low-income families.

4. Dormitories

Education Code S 1046 - Dormitories
 SEE: EDUCATION: Dormitories

State Mandates, Continued

5. Independent Living Centers

Welfare & Institutions Code SS 19800-19804 - Independent Living Centers

SEE: GENERAL: Independent Living Centers

6. Persons Requiring Continuing Care

Health & Safety Code S 50680 - Deemphasis of Institutional Care

It is the intent of the Legislature to vest in the Department of Housing and Community Development authority to obtain federal housing subsidies for persons requiring continuing care, who no longer reside in institutional settings. Assessments of needs and priorities shall be performed by the State Department of Developmental Services or the State Department of Mental Health.

Health & Safety Code S 50685.5 - Persons Requiring Continuing Care

"Persons requiring continuing care" means developmentally disabled, mentally disordered, or physically disabled persons not confined in a state institution who are eligible to receive housing assistance pursuant to federal law because of financial inability to provide adequate housing for themselves.

Welfare & Institutions Code S 5116 - Residential Care Facilities - Zoning

A state-authorized, certified, or licensed family care home, foster home, or group home serving six or fewer mentally disordered or otherwise handicapped persons or dependent and neglected children, shall be considered a residential use of property for the purposes of zoning if such homes provide care on a 24-hour-a-day basis.

7. Rental Units

Health & Safety Code S 51230 - Occupancy by Persons with Orthopedic Disabilities

Between 30 and 40 percent of units financed by the Housing Finance Agency for very low-income households shall be designed specifically for elderly persons. The agency shall in each fiscal year finance at least that number of rental units designed for occupancy and accessibility by persons with orthopedic disabilities necessary to make such units equal to the same percentage relationship to the total number of rental units as such persons comprise when compared to the total population of the state.

8. Tax Exemptions: Veterans

Revenue & Taxation Code S 205.5 - Exemptions

The Principal place of residence of a veteran is exempt from property tax up to \$40,000.00 if the veteran is blind in both eyes, has lost the use of two or more limbs, or is totally disabled as a result of injury or disease incurred in the military service.

State Mandates, Continued

L. SERVICES1. Companion ProgramsWelfare & Institutions Code SS 9521-9524 - Senior Companion Program

This program is established in order to provide low-income seniors with meaningful volunteer community service opportunities by providing care on a person-to-person basis to the frail elderly, the physically handicapped, the mentally or neurologically impaired. Participants shall be eligible for the same benefits as federal senior companions of the federal ACTION Agency. Senior companions must be over 60 with insufficient incomes. They will receive transportation expenses, one free meal daily, accident insurance and a nontaxable hourly stipend if they work four hours per day, five days per week.

Welfare & Institutions Code SS 9540-9544 - Foster Grandparent Program

This program is established to provide meaningful volunteer opportunities for low-income seniors to render personal services to children with exceptional needs. Foster grandparents shall receive the same benefits as under the federal grandparent program. The program shall serve in settings including pediatric wards, schools for the handicapped, correctional facilities, day care centers and homes. The goal of the program is to serve children 20 years or younger including battered children, mentally retarded children, physically handicapped children, delinquent children, etc. Seniors 60 years of age or older with insufficient income shall be eligible and will receive the same benefits as under the Senior Companion Program.

2. Drivers LicensesVehicle Code S 11110 - Cancellation or Suspension of Licenses

The Department of Motor Vehicles may cancel, revoke, or suspend a drivers license if the licensee does any act which manifests a disability or unfitness to perform properly the licensee's duties.

Vehicle Code S 12806 - Grounds Not Requiring Refusal of License

Any physical or mental defect of the applicant which does not affect the applicant's ability to exercise reasonable and ordinary control in operating a motor vehicle upon the highway shall not prevent the issuance of a license to the applicant.

3. Gas & ElectricityPublic Utilities Code S 453 - Discrimination in Rates

There shall be no discrimination in rates or services based on physical handicaps. Injunctive relief is available if discrimination occurs.

Public Utilities Code S 739 - Gas and Electric Energy Lifeline

The Public Utilities Commission shall develop a schedule which designates a lifeline volume of gas and electricity to supply the minimum energy need of customers dependent upon life support systems, paraplegics, quadriplegics, and multiple sclerosis victims, all of whom shall be given a higher allocation than the average user. Energy corporations shall be required to file lifeline-rate schedules.

State Mandates, Continued

4. Contract ReliefCivil Code S 1812.57 - Dance Lessons

Dance studio lesson contracts shall have a clause relieving persons from further payment obligations and providing for refunds of prepayments upon death or disability.

Civil Code S 1812.89 - Health Studios

Health studio membership contracts shall contain clauses relieving persons from further payment obligations and providing for refunds of prepayments upon death or disability.

5. Independent Living CentersWelfare & Institutions Code S 19800 - State Policy

It is state policy to: (a) provide state funding to maintain the services provided by existing independent living centers, and, where feasible, to encourage the establishment of new centers which provide services to disabled individuals; and, (b) vest in the Department of Rehabilitation the responsibility and authority for the encouragement of the planning, developing, and funding of independent living centers.

Welfare & Institutions Code S 19801 - Nature; Control; Staff; Service

An independent living center shall: (a) be a private, nonprofit organization controlled by a board of directors; (b) be staffed by persons trained to assist disabled persons in achieving social and economic independence; (c) provide peer counseling, advocacy, attendant referral, housing assistance, and other information and referrals.

Welfare & Institutions Code S 19804 - Affiliation With Residential Living Centers

An independent living center shall not operate in conjunction with or be affiliated with a residential living center.

6. Mentally Ill Minors Aftercare PlanWelfare: Institutions Code S 5020.1 - Mentally Ill Minors

A mentally ill minor between the ages of 3 and 18, upon being considered for release from a state hospital, shall have an aftercare plan developed. Such plan shall include educational or training needs, provided these are necessary for the patient's well-being.

7. Insurance: AutomobileInsurance Code S 11580.1 - Required Policy Provision

Each motor vehicle liability policy must contain a provision stating that the policy cannot be cancelled solely because the insured performs volunteer social service transportation to individuals who have special transportation needs because of physical or mental conditions.

Insurance Code S 11628.5 - Discrimination

No discrimination is allowed in the issuance or rates of motor vehicle insurance based solely on handicaps.

8. Insurance: Credit DisabilityInsurance Code S 779.28 - Validity of Chiropractor's Certification of Disability

For purposes of establishing the fact of disability in credit disability insurance, chiropractors' certifications of disability when made within the scope of their license shall be accepted by insurers.

State Mandates, Continued

9. Insurance: Health InsuranceHealth & Safety Code S 1367.8 - Insurance for the Physically and Mentally Impaired

No group or individual health care plan can refuse or limit coverage or charge a different rate to an individual solely because of a physical or mental impairment except where based on sound actuarial principles.

Insurance Code S 10122.1 - Group Disability Policies

Every policy of disability insurance which covers hospital, medical, or surgical expenses on a group basis shall offer coverage to physically handicapped individual members of the group under the same terms and conditions as are normally offered individual members of the group without physical handicaps. The availability of such coverage shall be communicated to group policy holders and to prospective group policy holders during negotiations. Group policies shall not be required to cover hospital expenses arising as a direct result of an individual member's physical handicap.

10. InterpretersEvidence Code S 754 - Interpreters for the Deaf

Qualified interpreters shall be provided in court for deaf persons.

Welfare & Institutions Code S 19013.5 - Special Language Assistance

The Department of Rehabilitation shall take into consideration the needs of non-English-speaking individuals and shall provide special language assistance to non-English-speaking individuals who are handicapped and participating in the department's public or private rehabilitation programs.

11. Zoos and Wild Animal ParksCivil Code SS 54.7, 55, 55.1 - Access to Zoos and Wild Animal Parks

SEE: ASSISTIVE DEVICES/SUPPORT SYSTEMS: Zoos and Wild Animal Parks

12. Inability to Go to the PollsElections Code 1017 - Inability of Voter to Go to the Polls after Final Day for Applying for Absentee Ballots

SEE: ELECTIONS: Inability to Go to the Polls

13. Manpower ProgramsUnemployment Insurance Code S 9003 Manpower Programs

SEE: EMPLOYMENT: Manpower Programs

14. Protective ServicesWelfare & Institutions Code S 10001 - Purposes of Public Social Services

SEE: HEALTH AND SAFETY: Protective Services

State Mandates, Continued

M. TRANSPORTATION SYSTEM AND VEHICLES

1. Access

Civil Code S 54.1 - Access to Public Conveyances
 SEE: ACCESS: Public Places

Government Code S. 4500 - Contract Awards
 SEE: ACCESS: Transportation

Public Utilities Code S 99260.7 - Transportation for Elderly and Handicapped Persons

A city or a county which is contributing funds to a joint agency of which it is a member is eligible to receive provision to operate a public transportation system. It may also file a claim under this article to provide or contract to provide transportation services using vehicles for the exclusive use of elderly and handicapped persons.

2. Automobile Insurance

Insurance Code S 11628.5 - Discrimination
 SEE: SERVICES: Insurance: Automobile

Insurance Code S 11580.1 - Required Provisions
 SEE: SERVICES: Insurance: Automobile

3. Drivers Licenses

Vehicle Code S 11110 - Cancellation or Suspension of Licenses
 SEE: SERVICES: Drivers Licenses

Vehicle Code S 12806 - Grounds for Not Requiring Refusal of Licenses
 SEE: SERVICES: Drivers Licenses

4. Electric Carts

Vehicle Code S 2114.5 - Electric Carts on Sidewalks
 Local Ordinance may authorize the operation of electricity carts by disabled persons or employees of the United States Post Office and state and local government agencies while in the course of their employment on public sidewalks as long as such persons have permits and affix identification stickers to the carts.

5. Funding - Loans and Grants

Government Code S 14033 - Transportation and Grants
 SEE: FUNDING: Transportation: Loans and Grants

Welfare & Institutions Code S 19460 - Rehabilitation Revolving Loan Guarantee Fund

There is in the State Treasury a permanent revolving fund of \$300,000.00 to be used to guarantee loans made by eligible lenders to eligible persons for the purchase of vans, automobiles and other special equipment to facilitate transportation of the physically handicapped.

6. School Buses

Education Code S 1270 - School buses
 SEE: EDUCATION: Adults: Transportation

State Mandates, Continued

7. Tax Exemptions

Revenue & Taxation S 6369.4 - Tax Exemptions for Modifying Vehicles to Create Access

SEE: ASSISTIVE DEVICES/SUPPORT SYSTEMS: Tax Exemptions for Modifying Vehicles

Revenue & Taxation S 24383 - Tax Exemptions for Repairing or Remodeling to Create Access

SEE: ACCESS: Architectural: Tax Exemptions

8. Veterans Exemptions

Vehicle Code S 9105 - Disabled or Blind Veterans

The fees specified in the vehicle code need not be paid for personal vehicles of disabled blind veterans.

9. Rapid Transit Equipment

Government Code S 34500 - Contracts for Rapid Transit

Every governmental subdivision in awarding contracts for equipment or structures shall be obligated to require that all rapid transit equipment be accessible to the handicapped.

FEDERAL MANDATES

N. ARCHITECTURAL ACCESS

1. Architectural Barriers ActPublic Health & Welfare (U.S.C. 42) §§4151-4157 - Architectural Barriers Act

All buildings (except military installations) open to the public to be used for employment or residence of the handicapped which are owned, leased, or financed by the United States Government must adhere to design and construction standards prescribed by the Administrator of General Services. The Secretary of Housing and Urban Development shall be responsible for government-financed housing; the Secretary of the Defense shall be responsible for Defense buildings; the U.S. Postal Service shall be responsible for its buildings.

2. ComplianceLabor (U.S.C. 29) §792 - Architectural and Transportation Barriers Compliance Board

The Architectural and Transportation Barriers Compliance Board shall consist of eleven members, five of whom are handicapped individuals. Their functions include: a) insuring compliance with the Architectural Barriers Act, b) investigating and examining alternative approaches, c) determining if measures taken are sufficient to eliminate barriers, d) promoting the use of the International Accessibility Symbol, e) reporting to Congress and the President, f) establishing minimum guidelines and requirements for standards, and g) insuring that public conveyances are readily accessible to the physically handicapped.

Parks, Forests, and Public Property (36 C.F.R.) 1150 et seq. - Compliance

This regulation implements 29 U.S.C. 792 (Rehabilitation Act of 1973) and provides for procedures to assure compliance.

3. Educational Facilities

SEE: EDUCATION: Architectural Access

4. Residential StructuresHousing and Urban Development (24 C.F.R.) §40.1 et seq. - Design, Construction and Alteration of Publicly Owned Residential Structures

This regulation prescribes standards for design, construction and alteration of publicly owned residential structures (other than military installations) intended for use by the physically handicapped using American Standard Specifications. For policies and procedures for enforcement, see 24 C.F.R. 41.1 et seq.

Federal Mandates, Continued

O. CIVIL RIGHTS

1. Nondiscrimination: GeneralLabor (U.S.C. 29) S. 794 - Nondiscrimination Under Federal Grants and Programs

Popularly known as Section 504 of the Rehabilitation Act of 1973, this section mandates that no qualified handicapped individual shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by an Executive agency or by the United States Postal Service.

Executive Order No. 12250 (45 F.R. 215) Leadership and Coordination of Nondiscrimination Laws

The Attorney General shall coordinate the implementation and enforcement by Executive agencies of various nondiscrimination provisions of Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

Federal Mandates, Continued

P. EDUCATION

1. American Printing House for the BlindEducation (U.S.C. 20) S 101 - Permanent Trust Fund

A perpetual trust fund of \$250,000.00 is set up through the American Printing House for the Blind for the purpose of aiding the education of the blind.

Education (U.S.C. 20) S 103 - National Library for the Blind

Two copies each of publications printed by the American Printing House for the Blind shall be furnished free of charge to the National Library for the Blind in Washington, D.C.

2. Architectural AccessEducation (U.S.C. 20) S 844 - Grants for Construction of Facilities

Applications by local educational agencies for federal funds must include assurances that facilities will be accessible to and usable by handicapped persons.

Education (U.S.C. 20) S 1406 - Grants for Removal of Architectural Barriers

Upon application by any state or local educational agency, the Commissioner of Education is authorized to make grants to pay for altering existing buildings and equipment to make them accessible to the handicapped.

3. Early EducationEducation (U.S.C. 20) S 1423 - Early Education Programs

The Commission of Education can arrange by contract or grant for the development and operation of experimental preschool and early education programs which show promise of promoting a comprehensive approach to the special problems of handicapped children. Such programs shall include activities and services designed to: 1) facilitate the intellectual, emotional, physical, mental, social and language development of such children; 2) encourage the participation of parents in the development and operation of such programs; 3) acquaint the community with the problems and potentialities of such children.

4. EvaluationEducation (U.S.C. 20) S 1418 - Evaluation

The Commissioner of Education shall measure and evaluate the impact of the programs authorized under this chapter and the effectiveness of State efforts to assure free appropriate public education of all handicapped children.

5. Funding - GeneralEducation (U.S.C. 20) S 1411 - Entitlements and Allocations

The maximum amount of the grant to which a State is entitled for any fiscal year shall be equal to the number of handicapped children aged three to twenty-one, inclusive, in such State, who are receiving special education and related services multiplied by five percentum for the fiscal year ending September 30, 1978, of the average per pupil expenditure in public elementary and secondary schools in the United States.

Federal Mandates, Continued

5. Funding - General (Continued)Education (U.S.C. 20) S 1412 - Eligibility Requirements

To qualify for funding, the State must demonstrate:

- (1) that it has a policy of assuring handicapped children access to free public education;
- (2) that it has a plan which: (a) establishes the goal and sets a timetable for achieving the goal; (b) that free education is available for all handicapped children; (c) that all handicapped children in the state have been identified, located, and evaluated; (d) that confidentiality of records is assured; and (e) that any amendments to the plan be made available to the general public before submission to the Commissioner;
- (3) that priorities have been established;
- (4) that local educational agencies will maintain records;
- (5) that it has established: (a) procedural safeguards; (b) the mainstreaming of handicapped children; (c) testing and evaluation materials which are not racially or culturally discriminatory;
- (6) that it will be responsible for seeing that the plan is carried out;
- (7) that there is consultation with people involved in education of the handicapped, as well as handicapped individuals, and that there are public hearings for comment on the plan.

Education (U.S.C. 20) S 1413 - State Plans

To qualify for funds, State Plans must contain:

- (1) policies and procedures ensuring the funds will be expended properly; i.e., only for providing free public education to handicapped children;
- (2) policies and procedures for personnel development and educational practices and materials development;
- (3) policies to ensure that handicapped children in private schools also receive special education;
- (4) policies that ensure that funds expended on children erroneously classified be recovered;
- (5) that public agencies administer these funds and the property acquired therefrom;
- (6) provisions for making reports to the Commissioner of Education;
- (7) provisions that federal funds will not be commingled with state funds;
- (8) provisions for annual evaluations;
- (9) provisions for appointment of a State advisory panel.

Education (U.S.C. 20) S 1414 - Applications

A local educational agency which desires to receive federal funds must submit an application to the appropriate State educational agency.

Education (U.S.C. 20) S 1419 - Incentive Grants

The Commissioner of Education shall make a grant to any State which has met the eligibility requirements, has an approved State Plan, and provides special education and related services to handicapped children aged three to five.

Education (U.S.C. 20) S 1424 - Model Centers and Services for the Handicapped

The Commissioner of Education is authorized to pay by grant or contract the costs of the following activities:

- (1) research to identify and meet the special needs of handicapped children;
- (2) development of new methods, approaches, and techniques which would contribute to the adjustment and the education of such children;
- (3) training of personnel engaged in programs specifically designed for such children;
- (4) dissemination of materials and information about practices found effective in working with such children.

Federal Mandates, Continued

6. AdministrationEducation (U.S.C. 20) S 1402 - Administration

There shall be, within the Office of Education, a bureau for the education and training of the handicapped which shall be the principal agency of the Office of Education for administering and carrying out programs and projects relating to the education and training of the handicapped, including programs and projects for the training of teachers of the handicapped and for research in such education and training.

Education (U.S.C. 20) S 1403 - National Advisory Committee

The National Advisory Committee on Handicapped children shall be established in the Office of Education consisting of 15 members, at least eight (8) of whom shall be affiliated with education, training, or research programs for the handicapped. The Committee shall review the administration and the operation of the programs respecting handicapped children and make recommendations for improvement.

Public Health & Welfare (U.S.C. 42) S 2495 - National Advisory Committee on Education of the Deaf

A twelve-member National Advisory Committee on Education of the Deaf will consist of educators of the deaf and the hearing and deaf individuals. Functions of the Committee include: a) creating a system for assessing progress and identifying the problems of educating the deaf, b) identifying emerging needs and suggesting innovations to meet those needs, c) directing research efforts, and d) making other appropriate recommendations.

7. Instructional MediaEducation (U.S.C. 20) S 1451 - Legislative Intent

The purposes of this subchapter are to promote:

- (1) the general welfare of deaf persons by: (a) bringing to such persons understanding and appreciation of those films which play an important part in the general and cultural advancement of hearing persons, (b) providing through these films enriched educational and cultural experiences through which deaf persons can be brought into better touch with the realities of their environment, and (c) providing a wholesome and rewarding experience which deaf persons may share together; and
- (2) the educational advancement of handicapped persons by (a) carrying on research in the use of educational media for the handicapped, (b) producing and distributing educational media for the use of handicapped persons, their parents, their employers, and other persons directly involved in work for the advancement of the handicapped, and (c) training persons in the use of educational media for instruction of the handicapped.

Education (U.S.C. 20) S 1452 - Captioned Films and Educational Media

A loan service shall be established for captioned films and educational media to make such materials available for handicapped persons, parents, and other persons involved in the education of the handicapped.

Education (U.S.C. 20) S 1453 - Centers on Educational Media

The Department of Education can make agreements for the establishment and operation of centers on educational media and materials for the handicapped which will provide a comprehensive program of activities to facilitate the use of new educational technology, including designing, developing, and adapting instructional materials, and such other activities consistent with the purposes of this chapter.

Federal Mandates, Continued

8. Learning Disabilities - FundingEducation (U.S.C. 20) S 1461 - Research, Training and Model Centers

Grants can be made to carry out programs of research relating to the education of children with learning disabilities, professional training of educational personnel to teach such children, and establishing and operating model centers for the improvement of education of such children.

9. Library of CongressEducation (U.S.C. 20) S 135a - Books and Records for Blind and Other Physically Handicapped Persons

Money will be appropriated annually to the Library of Congress to provide books published in raised characters and sound-reproduction recordings for use by the blind and other physically handicapped persons.

Education (U.S.C. 20) S 135a-1 - Library of Musical Scores

The Librarian of Congress shall establish and maintain a library of musical scores, instructional texts and other specialized materials for the use of the blind and other physically handicapped persons.

10. Model Centers for Deaf-BlindEducation (U.S.C. 20) S 1422 - Model Centers for Deaf-Blind

It is the purpose of this section to provide, through a limited number of model centers for the deaf-blind children, a program designed to develop and bring to bear upon such children, beginning as early as feasible in life, those specialized, intensive professional and allied services, methods, and aids that are found to be most effective to enable them to achieve their full potential for communication with, and adjustment to the world around them, for useful and meaningful participation in society, and for self-fulfillment.

The services that must be provided include: (a) diagnostic and evaluative services, (b) a program for adjustment, orientation, and education, and (c) consultative services for parents and teachers.

11. Procedural SafeguardsEducation (U.S.C. 20) S 1415 - Procedural Safeguards

Any state or local educational agency which receives funding under this chapter shall establish and maintain procedures to assure that handicapped children and their parents are guaranteed procedural safeguards with respect to the provision of free appropriate public education by such agencies.

These procedures shall include: (1) opportunities for parents to examine records, (b) procedures to protect the rights of the child, (c) notice to parents when programs are changed, and (d) opportunity to present complaints.

12. ResearchEducation (U.S.C. 20) S 1443 - Panel of Experts

The Commissioner of Education shall from time to time appoint a panel of experts who are competent to evaluate various types of research or demonstration projects under this subchapter, and shall secure the advice and recommendations of one such panel before making any grants under this subchapter.

Federal Mandates, Continued

13. Research - FundingEducation (U.S.C. 20) SS 1441-1442 - Research, Surveys, Demonstration Projects

Grants can be made by the Commissioner of Education to States and educational agencies for research and related purposes and to conduct research, surveys, or demonstrations, relating to the education of handicapped children, including the development and conduct of model programs designed to meet the special educational needs of such children.

14. Resource Centers - FundingEducation (U.S.C. 20) S 1421 - Regional Resource Centers

The Commissioner of Education is authorized to make grants to or contracts with educational agencies or institutions to pay the cost of establishing and operating regional centers which will develop and apply methods of appraising the special educational needs of handicapped children referred to them, and provide other services necessary to meet their special needs.

15. Teacher Training - FundingEducation (U.S.C. 20) SS 1431-1432 - Grants to Institutions of Higher Education

Grants can be made to assist in: (a) training professional personnel to train special education teachers, (b) training special education teachers or researchers, and (c) establishing and maintaining scholarships.

Educational (U.S.C. 20) S 1434 - Grants for Training Physical Education Teachers

Grants can be made to institutions of higher education to provide training for physical education teachers or recreational personnel for the handicapped.

16. Vocational EducationEducation (U.S.C. 20) S 1424a - Regional Education Programs

The Commissioner of Education is authorized to make grants to or contracts with institutions of higher education, including junior and community colleges, vocational and technical institutions, and other appropriate nonprofit educational agencies for the development and operation of specially designed or modified programs of vocational, postsecondary, or adult education for deaf or other handicapped persons. In making grants or contracts, the Commissioner shall give priority consideration to: (a) programs serving multistate regions or large population centers, (b) programs adapting existing programs of vocational, technical, postsecondary, or adult education to the special needs of handicapped persons, and (c) programs designed to serve areas where a need for such services is clearly demonstrated.

Education (U.S.C. 20) S 2310 - Priority of Allotments of State Funds

At least ten percent of a State's allotment for vocational education programs for the handicapped shall be used to pay up to 50 percent of the costs of services and activities under the Basic Grant Program.

Education (U.S.C. 20) S 2354 - Vocational Guidance and Counseling

At least twenty percent of available federal funds shall be used to support vocational guidance and counseling programs, including the establishment of vocational resource centers to meet the special needs of handicapped individuals.

Federal Mandates, Continued

16. Vocational Education (Continued)

Education (U.S.C. 20) S 2392 - National Advisory Council
on Vocational Education

The Advisory Council's membership shall include individuals experienced in the education and training of the handicapped.

17. Library Services

Education (U.S.C. 20) SS 351-354 - Library Services

SEE: SERVICES: Library Services

18. Student Loans

Education (U.S.C. 20) S 425 - Terms of Student Loans

The liability to repay any government student loan under the National Defense Education Act shall be canceled if the borrower becomes permanently and totally disabled.

19. Institute for the Deaf

Education (U.S.C. 20) SS 681-685 - National Technical Institute for the Deaf

SEE: EMPLOYMENT: Vocational Rehabilitation

Federal Mandates, Continued

Q. EMPLOYMENT

1. General PolicyLabor (U.S.C. 29) S 49b - United States Employment Service

The United States Employment Service has the duty to promote and develop a national system of employment offices including employment counseling and placement services for handicapped persons.

Labor (U.S.C. 29) S 49g - State Plans to Receive Benefits from United States Employment Service

In order to receive funds from the United States Employment Service, designated State agencies must submit to the Secretary of Labor State plans including provisions for the promotion and development of employment opportunities for handicapped persons and job counseling and placement of such persons.

Education (U.S.C. 20) S 1405 - Employment of Handicapped Individuals

The Secretary of Education shall assure that each recipient of federal educational funds shall make positive efforts to employ and advance in employment qualified handicapped individuals in programs assisted under the Education provisions.

Executive Order No. 11480 (44 F.R. 1053) - President's Committee on Employment of the Handicapped

The President's Committee on Employment of the Handicapped is established to facilitate the development of employment opportunities for the physically handicapped, mentally retarded and mentally restored, by:

- 1) supplying information to employers, labor organization and others,
- b) public education, c) enlisting support of government officials and committees on employment of the handicapped.

2. Federal ContractsLabor (U.S.C. 29) S 793 - Employment Under Federal Contracts

For government contracts over \$2,500.00, for procurement of personal property and nonpersonal services (i.e., construction), contracts must contain a provision requiring that affirmative action will be taken to employ and advance in employment qualified handicapped individuals. If individuals believe there has been a violation, complaints can be filed with the Department of Labor.

Public Contracts and Property Management (41 C.F.R.) SS 60-741 - Government Contracts

The purpose of this regulation is to assure compliance with 29 U.S.C. 793 (S. 504 of the Rehabilitation Act) which requires government contractors and subcontractors to take affirmative action to employ and advance in employment qualified handicapped individuals.

3. Fair Labor StandardsLabor (U.S.C. 29) S 214 - Fair Labor Standards for the Handicapped

The Secretary of Labor, to prevent curtailments of opportunities for employment, shall by regulation or order provide for employment of the physically and mentally handicapped at wages lower than minimum wage, but not less than 50 percent of minimum wage. For handicapped persons in training programs, wages can be less than 50 percent.

Federal Mandates, Continued

4. Employment the Handicapped WeekPatriotic Societies and Observances (U.S.C. 36) S. 155 - National Employ the Physically Handicapped Week

The first week in October of each year shall be designated as National Employ the Handicapped Week. During said week, appropriate ceremonies are to be held throughout the nation, the purpose of which will be to enlist public support for and interest in the employment of otherwise qualified but physically handicapped workers.

5. Vending StandsEducation (U.S.C. 20) S. 107 - Operation of Vending Stands

For the purpose of providing blind persons with remunerative employment enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self-supporting, blind persons licensed under this chapter shall be authorized to operate vending stands on Federal property where vending stands may be properly operated by blind persons.

6. Vocational RehabilitationEducation (U.S.C. 20) SS 681-685 - National Technical Institute for the Deaf

For the purpose of providing a residential facility for post-secondary technical training and education for persons who are deaf, in order to prepare them for successful employment, there are authorized to be appropriated for each fiscal year such sums as may be necessary for the establishment and operation, including construction and equipment, of a National Technical Institute for the Deaf, including sums necessary for the acquisition of property, both real and personal, and for the construction of buildings and other facilities for such Institute.

Labor (U.S.C. 29) SS 31-34 - Grants to Assist in Rehabilitation of Persons Injured in Industry

The Secretary of Labor is authorized to make grants for assisting States in rehabilitating handicapped individuals so that they may prepare for and engage in gainful employment.

Labor (U.S.C. 29) S 35 - State Plans for Vocational Rehabilitation of Persons Injured in Industry

To receive federal assistance, a State plan for vocational rehabilitation must:

- 1) Designate one State agency to administer the plan
- 2) Provide that the State agency include a vocational rehabilitation bureau primarily concerned with vocational rehabilitation of disabled individuals
- 3) Provide for financial participation by the State
- 4) Show the plan, policies and methods to be followed
- 5) Contain provisions relating to the establishment of personnel standards
- 6) Provide for evaluation, counseling, training, placement and follow-up services
- 7) Report to the Secretary of Labor
- 8) Cooperate with the Social Security Administration
- 9) Make cooperative arrangements with State public employment offices
- 10) Provide for services to civil employees disabled in performance of their duties
- 11) Continue statewide studies of the handicapped and their needs

SEE ALSO: (U.S.C. 29) S 721 - State Plans

Federal Mandates, Continued

6. Vocational Rehabilitation (Continued)Labor (U.S.C. 29) S 38 - Promotion of Employment Opportunities

The Secretary of Labor, in cooperation with other Departments, shall develop and recommend to the appropriate state agencies, policies and procedures which will facilitate the employment of individuals who have received rehabilitation services under State vocational rehabilitation programs, and with the President's Committee on Employment of the Handicapped, shall develop and recommend methods which will assure maximum utilization of services which that committee and cooperating State and local organizations are able to render in promoting job opportunities.

Labor (U.S.C. 29) S 720 - Federal Grants

The purpose of this section and those following is to authorize grants to States to assist in meeting the current and future needs of handicapped individuals so that such individuals may prepare for and engage in gainful employment to the extent of their capabilities.

SEE ALSO: (U.S.C. 29) S. 720 for details of appropriations.

Labor (U.S.C. 29) S 721 - State Plans

To receive federal funds under S. 720, States must submit State plans which:

- 1) Designate responsible State agency, one which is primarily concerned with vocational and other rehabilitation of the handicapped
- 2) Assure that the designated State agency contains a vocational rehabilitation unit
- 3) Provide for financial participation by the State
- 4) Assures that it will be in effect in all political subdivisions of the State
- 5) Contains the plans, policies, and methods to be followed in carrying out the plan
- 6) Contains provisions for hiring the handicapped and compliance with the Architectural Barriers Act
- 7) Contains provisions for personnel standards
- 8) Provides for written individualized rehabilitation programs
- 9) Provide for reports to the Labor commissioner
- 10) Provides for cooperative agreements with other state agencies
- 11) Provides for continued statewide studies of the handicapped and their needs

Labor (U.S.C. 29) S 721 - State Plans (Continued)

- 12) Provides for periodic reevaluation of performance of employed handicapped individuals
- 13) Provides service to any civil employee disabled on the job
- 14) Provides that the plan will be amended as needed
- 15) Provides that handicapped American Indians receive the same services
- 16) Provides for agreements with profit-making organizations to provide on-the-job training
- 17) Provides for information and referral programs

SEE ALSO: (U.S.C. 29) S 35 - State Plans for Vocational Rehabilitation

Labor (U.S.C. 29) S 722 - Individualized Written Rehabilitation Programs

Programs must be developed jointly by the individual and his/her counselor. Programs shall include: a) goals for the individual, b) service to be provided, c) anticipated duration of the program, d) evaluation procedure.

Federal Mandates, Continued

6. Vocational Rehabilitation (Continued)Labor (U.S.C. 29) § 723 - Scope of Services

Services provided under state plans for individuals must include:

- 1) Evaluation of rehabilitation potential
 - 2) Counseling, placement, and referral
 - 3) Vocational training
 - 4) Physical and mental restoration
 - 5) Maintenance costs
 - 6) Interpreters for the deaf
 - 7) Training for service employment
 - 8) Orientation and mobility for the blind
 - 9) Occupational licenses, tools, and supplies
 - 10) Transportation
 - 11) Aids and devices
- Services for groups must include:

- 1) Provision of equipment and supplies for severely handicapped individuals in small businesses
- 2) Establishment of non-profit rehabilitation facilities
- 3) Use of existing telecommunications systems to improve service delivery
- 4) Recorded material for the blind and captioned films for the deaf

Labor (U.S.C. 29) §§ 750-751 - American Indian Vocational Rehabilitation Services Grants

SEE: SERVICES: American Indians

Labor (U.S.C. 29) § 777b - Migratory Workers

The Labor Commissioner may make grants to designated state agencies to pay up to 90 percent of the costs of projects or demonstrations for vocational rehabilitation services to handicapped individuals who are migratory workers or seasonal farmworkers.

Public Health & Welfare (U.S.C. 42) § 422 - Referral for Rehabilitation Services

Disabled persons applying for a determination of disability shall be referred to the State agency administering the State Vocational Rehabilitation plan to the end that the maximum number of such individuals shall be rehabilitated into productive activity.

SEE ALSO: SERVICES: Rehabilitation Services

7. Youth Opportunities

Executive Order No. 11330 (35 F.R. 11221) - Coordination of Youth Opportunity Programs

The President's Council on Youth Opportunity shall be responsible for establishing, among other things, programs designed to identify, diagnose, and treat the illnesses and handicapping conditions of youth who participate in summer employment programs.

Federal Mandates, Continued

R. GOVERNMENT EMPLOYEES

1. General PolicyLabor (U.S.C. 29) S 791 - Employment of Handicapped Individuals

An interagency Committee on Handicapped Employees is established within the Department of Education to a) review the adequacy of hiring, placement, and advancement practices regarding handicapped individuals by each instrumentality in the Executive branch, b) to consult with the Equal Employment Opportunity Commission. Each Executive branch instrumentality must have an affirmative action plan reviewed and updated annually for the hiring, placement and advancement of handicapped individuals. The E.E.O.C. shall be responsible for recommending policies and procedures.

Government Organization and Employees (U.S.C. 5) S 7203 - Discrimination in Executive Agencies

The President has the authority to prescribe rules to prohibit discrimination because of a handicapping condition in an Executive agency or civil service with respect to a position the duties of which can be performed efficiently by an individual with a handicapping condition.

2. Postal ServicePostal Service (U.S.C. 39) S 1003 - Employment Policy

The Postal Service shall follow an employment policy designed to extend opportunity to the disadvantaged and the handicapped.

3. Reader/Interpreter ServicesGovernment Organization and Employees (U.S.C. 5) - S 3102 - Employment of Assistants for Blind and Deaf Employees

Executive agencies, the Library of Congress, and the government of the District of Columbia may hire reading assistants for blind employees and interpreting assistants for deaf employees to serve without pay from the agencies. They may be paid by the employees themselves or by nonprofit organizations.

Federal Mandates, Continued

S. HOUSING

1. LoansBanks & Banking (U.S.C. 12) S 1701q - Loans for Housing for the Handicapped

The Secretary of Housing and Urban Development may make loans to private nonprofit corporations, limited profit sponsors, consumer cooperatives, or public bodies and agencies to provide housing and related facilities for handicapped families; provided that, a) loans cannot be obtained elsewhere, b) loans will not be used for elaborate or unnecessary construction, and c) loans will not be made to public bodies or agencies unless assurances are made that they are not providing funding exclusively

Housing and Urban Development (24 C.F.R.) S 885.1 et seq. - Loans for Housing for the Handicapped

This regulation implements 12 U.S.C. 1701q (see above)

2. Mortgage InsuranceBanks & Banking (U.S.C. 12) S 1715v - Mortgage Insurance

The Secretary of Housing and Urban Development, in order to assist in relieving the shortage of housing for elderly persons, is authorized to insure mortgages for housing including that designed for the use and occupancy of handicapped persons and families. The Secretary may also prescribe procedures to secure families preference to rent the living units designed for their use and occupancy. (see 12 U.S.C. 1715z-1, below).

3. ProjectsPublic Health & Welfare (U.S.C. 42) S 1438 - Low-income Housing Projects for Elderly and Handicapped

Special housing projects for the elderly or the handicapped must meet acceptable standards of design and shall provide quality services and management consistent with the needs of the occupants. Such projects shall be in support of and supported by applicable state plans.

4. RentalsBanks & Banking (U.S.C. 12) S 1715z-1 - Rental and Cooperative Housing

For the purpose of reducing rentals for lower-income families, the Secretary of Housing and Urban Development is authorized to make periodic interest reduction payments on behalf of the owner of a rental housing project designed for occupancy by lower-income families, which shall be accomplished through payments to mortgagees. At least 20 percent of the total amount of contracts for assistance payments shall be available for use only with respect to projects which are planned in whole or in part for occupancy by elderly and handicapped families.

5. VeteransVeterans' Benefits (U.S.C. 38) S 801 - Specially Adapted Housing for Disabled Veterans

The Veterans Administration is authorized to assist any vet entitled to compensation for permanent and total service-related disability in acquiring suitable housing with special fixtures or movable facilities made necessary by the nature of the disability.

Federal Mandates, Continued

T. SERVICES

1. Rehabilitation ServicesLabor (U.S.C. 29) S 41a - Grants for Construction

The Secretary of Labor is authorized to make grants to assist in meeting the costs of construction of public or other nonprofit rehabilitation facilities.

Labor (U.S.C. 29) S 771 - Grants for Construction and Staffing of Rehabilitation Facilities

(Expires October 1, 1983) Funds are available for the purposes of grants or contracts for construction of rehabilitation facilities, staffing and planning assistance.

Labor (U.S.C. 29) S 42a - National Center for Deaf-Blind Youths and Adults
Costs of establishing the National Center for Deaf-Blind Youths and Adults will be paid by the Federal Government in order to: a) provide services and trained personnel to meet the special needs of the deaf-blind, b) conduct research in problems of rehabilitating the deaf-blind, and c) help improve public understanding of the problems of the deaf-blind.

Labor (U.S.C. 29) S 708 - Audit and Examination of Records

Each recipient of a grant or contract under federal rehabilitation provisions shall keep such records as the Secretary may prescribe, including records of the disposition of the proceeds, the total cost of the project, and other sources of funding.

Labor (U.S.C. 29) S 714 - Information Clearinghouse

A clearinghouse for information and resource availability may be established by the Secretary which shall provide information regarding: a) the location, provision and availability of services and programs for handicapped individuals, b) research and recent material and scientific developments bearing on handicapping conditions, and c) current numbers of handicapped individuals and their needs.

Labor (U.S.C. 29) S 732 - Client Assistance Projects

From funds appropriated for special projects, the Commissioner will set aside (through 1982) funds to establish client assistance pilot projects to advise clients of all benefits available under the rehabilitation provisions.

Labor (U.S.C. 29) SS 760-762 - National Institute of Handicapped Research

The National Institute of Handicapped Research shall be responsible for authorizing grants to and contracts with States to conduct research, demonstration projects and related activities to train persons who provide rehabilitative services; to facilitate the distribution of information to assist rehabilitation professional and to assist handicapped individuals to live more independently; to improve the distribution of technological devices and equipment; and, to increase the scientific and technological information presently available in the field of rehabilitation.

Labor (U.S.C. 29) S 773 - Loan Guarantees for Rehabilitation Facilities

The Labor Commissioner may guarantee the payment of principal and interest on loans made to nonprofit private entities by non-federal lenders and by the Federal Financing Bank for the construction of rehabilitation facilities, including equipment used in their operation.

Labor (U.S.C. 29) S 774 - Training of Personnel

The Commissioner may make grants to and contracts with States and public or nonprofit agencies and organizations to pay part of the costs of projects for training, traineeships, and related activities designed to assist in increasing the numbers of personnel trained in providing vocational, medical, social, and psychological rehabilitation services to handicapped individuals, including personnel officially trained in providing employment assistance to handicapped individuals through job development and job placement services, and personnel trained in performing other functions necessary to the development of such services.

Federal Mandates, Continued

1. Rehabilitation Services (Continued)Labor (U.S.C. 29) S 775 - Comprehensive Rehabilitation Centers

In order to provide a focal point in communities for the development and delivery of services designed primarily for handicapped persons, the Commissioner may make grants to any designated state units to establish in order to provide a broad range of services to handicapped individuals, including information and referral services, counseling services, and job placement, health, educational, social and recreational services, as well as to provide facilities for recreational activities.

Labor (U.S.C. 29) S 777a - Special Demonstration Programs

The Commissioner may make grants to States and to public or nonprofit agencies and organizations to pay part or all of the costs of special projects and demonstrations for a) establishing programs for providing vocational rehabilitation services, b) applying new types or patterns or devices for handicapped individuals, c) operating programs and, where appropriate, renovating and constructing facilities to demonstrate methods of making recreational activities fully accessible to handicapped individuals.

Public Health & Welfare (U.S.C. 42) - S 801 et seq. - Grants to States for Services to Aged, Blind, or Disabled

To encourage each State to furnish rehabilitation and other services to help needy individuals who are 65 years of age or older, blind, or who are disabled to attain or retain capability for self-support or self-care, sums sufficient to carry out these purposes are authorized to be appropriated. These sums will be made available subject to approved state plans.

Public Health & Welfare (U.S.C. 42) S 6061 et seq. - Grants for Individuals with Developmental Disabilities

Yearly allotments, subject to approved State plans, are authorized to assist states in developing services for persons with developmental disabilities.

2. Medical ServicesArmed Forces (U.S.C. 10) S 1079 - Contracts for Medical Care for Spouses and Children

To provide medical care for spouses and children of members of uniformed services, the Secretaries of Defense and Health & Human Services shall contract for health care benefits. For those dependents of members who are mentally retarded or physically handicapped, the plan shall include: a) diagnosis, b) inpatient, outpatient and home treatment, c) training, rehabilitation and special education, and d) institutional care

Public Health & Welfare (U.S.C. 42) S 701 et seq. - Appropriations to States for Crippled Childrens Services

For the purpose of extending and improving services for locating and for medical, surgical, corrective and other services and care for and facilities for diagnosis, hospitalization, and aftercare for crippled children, appropriations are authorized for state allotments. In order to be entitled to payments from such allotments, States must submit state plans for services to crippled children.

Public Health & Welfare (U.S.C. 42) S 1386 - Grants to States for Medical Assistance Programs

To enable States to furnish a) medical assistance on behalf of the aged, blind, or disabled individuals whose income and resources are insufficient to meet the costs of necessary medical services and, b) rehabilitation and other services to help such individuals attain or retain capability for independence or self-care, a yearly sum will be appropriated. Grants are contingent upon the submission and approval of state plans.

Federal Mandates, Continued

3. Food ServicePublic Health & Welfare (U.S.C. 42) S 1761 - Summer Food Service Programs for Children in Service Institutions

Grants-in-Aid programs are authorized to be carried out to assist states to operate nonprofit food service programs for children in service institutions. "Children" includes those individuals over 18 who are mentally or physically handicapped and participating in public or nonprofit private school programs established for the mentally and physically handicapped.

4. Library Services

Education (U.S.C. 20) SS 351-351e - Improvement of Public Library Services
Allotments from federal funds shall be made to States submitting approved plans in order to assist in the improvement of public library services including services for the physically handicapped, institutionalized and disadvantaged.

Education (U.S.C. 20) SS 352-354 - Accessible Library Services

The Commissioner of Education shall carry out a program of grants to States with approved State Plans for making library services more accessible to persons, who by reason of physical handicap, are unable to receive the benefits of public library services regularly made available to the public.

SEE ALSO: EDUCATION: Library of Congress

5. Postal ServicesPostal Services (U.S.C. 39) S 3403 - Free Mail for Blind and Handicapped Persons

Reading matter, musical scores, sound reproductions, materials for the production of the above, reproducers, braille writers, and other devices for specific use by the blind or other handicapped persons may be mailed free of postage if for use by the blind or others who cannot read conventionally printed material, if it contains no advertising and if it may be opened for inspection.

Postal Services (U.S.C. 39) S 3404 - Unsealed Letters

Unsealed letters sent by a blind person or a person having a physical impairment, in raised characters or sight-saving type or in the form of sound recordings may be mailed free of postage.

Postal Services (U.S.C. 39) S 3405 - Markings

All matter relating to blind or other handicapped persons must bear the words "Free matter for the blind or handicapped" in the upper right-hand corner of the address area.

6. Reader/Interpreter ServicesLabor (U.S.C. 29) S 777d - Reader Services for the Blind

The Labor Commissioner may award grants to States or private nonprofit agencies of national scope to provide reading services to blind persons not eligible under other state or federal programs and to expand the quality and scope of reading services available to blind persons.

Labor (U.S.C. 29) S 777e - Interpreter Services for Deaf Persons

The Labor Commissioner may make grants to designated State units to establish within each state a program of interpreter services which shall be made available to deaf individuals and to any public agency or private nonprofit organization involved in the delivery of assistance or services to deaf individuals.

SEE ALSO: GOVERNMENT EMPLOYMENT: Reader/Interpreter Services

Federal Mandates, Continued

7. Social SecurityPublic Health & Welfare (U.S.C. 42) S 421 - State Agencies Determining Disability

In the case of an individual, for purposes of receiving social security benefits, the determination of disability shall be made by a state agency, providing that the state agency makes known in writing its desire to make such disability determinations.

Public Health & Welfare (U.S.C. 42) S 422 - Referral for Rehabilitation Services

Disabled individuals applying for determination of disability, and disabled individuals who are entitled to child's insurance benefits, widow's insurance benefits, or widower's insurance benefits under the Social Security Act shall be referred to the State agency administering the State plan approved under the Vocational Rehabilitation Act for necessary vocational rehabilitation services.

Public Welfare (45 C.F.R.) S 233.10 et seq. - Conditions of Eligibility in Social Security Financial Assistance Programs

State plans must include eligibility conditions for blind and disabled individuals as required by the Social Security Act.

8. Veterans Services

(Statutes and Regulations regarding Veterans' Services have not been included; SEE (U.S.C. 38 - VETERANS BENEFITS)

9. Vocational Rehabilitation ServicesLabor (U.S.C. 29) SS 750-751 - American Indian Vocational Rehabilitation Services Grants

The Labor Commissioner is authorized to make grants to Indian tribes located on state and federal reservations to pay 90 percent of the costs of vocational rehabilitation.

SEE: EMPLOYMENT: Vocational Rehabilitation

10. National CouncilLabor (U.S.C. 29) SS 780-785 - National Council on the Handicapped

A National Council on the Handicapped is established within the federal government consisting of 15 members, 5 of whom shall be handicapped individuals or parents of handicapped individuals. The Council shall act in an advisory capacity, reviewing and evaluating all policies, programs and activities conducted or assisted by federal departments and agencies, and making recommendations regarding improving research.